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STUDENT POLICIES GOALS

The student is the focal point of all operations of a school district. Consequently, the Board will spend much of its time in study, deliberation, and policy formulation on matters directly related to students.

The Board and staff will work together to establish an environment conducive to the very best learning achievements for each student through meeting the following goals regarding students.

1. To tailor the learning program in order to provide appropriately for each student according to his specific background, capabilities, learning styles, interests and aspirations.
2. To protect and observe the legal rights of students.
3. To enhance the self-image of each student by helping them feel respected and worthy through a learning environment that provides positive encouragement through frequent success.
4. To provide an environment of reality in which students can learn personal and civic responsibility for their actions through meaningful experiences as school citizens.
5. To deal with students in matters of discipline in a just and constructive manner.
6. To provide for the safety, health and welfare of students.
7. To promote faithful attendance and good work.

(ADOPTION DATE: February 28, 1983)
(REVISION DATE: September 27, 2004)
(REVIEWED DATE: March 10, 2008)

ANTI-BULLYING/HARASSMENT OF STUDENTS

Harassment and bullying of students is against federal, state and local policy, and is not tolerated by the Brandon Valley Board of Education. The Board is committed to providing all students with a safe and civil school environment in which all members of the school community are treated with dignity and respect. To that end, the Board has in place policies, procedures, and practices that are designed to reduce and eliminate bullying and harassment as well as processes and procedures to deal with incidents of bullying and harassment. Bullying and harassment of students by students, school employees, and volunteers who have direct contact with students will not be tolerated in the school or school district.

The Board prohibits harassment, bullying, hazing, or any other victimization of students, based on any actual or perceived traits or characteristics of the student including: race, color, creed, gender, national origin, religion, age or disability.

This policy is in effect while students or employees are on property within the jurisdiction of the Board; while in school-owned or school-operated vehicles; while attending or engaged in school-sponsored activities; and while away from school grounds if the misconduct directly affects the good order, efficient management and welfare of the school or school district.

If, after an investigation, a student is found to be in violation of this policy, the student shall be disciplined by appropriate measures up to, and including, suspension and expulsion. If after an investigation a school employee is found to be in violation of this policy, the employee shall be disciplined by appropriate measures up to, and including, termination. If after an investigation a school volunteer is found to be in violation of this policy, the volunteer shall be subject to appropriate measures up to, and including, exclusion from school grounds. "Volunteer" means an individual who has regular, significant contact with students.

Harassment and bullying mean any electronic, written, verbal, or physical act or conduct toward a student which is based on any actual or perceived trait or characteristic of the student and which creates an objectively hostile school environment that meets one or more of the following conditions:

- Places the student in reasonable fear of harm to the student's person or property;
- Has a substantially detrimental effect on the student's physical or mental health;
- Has the effect of substantially interfering with the student's academic performance; or
- Has the effect of substantially interfering with the student's ability to participate in or benefit from the services, activities, or privileges provided by a school.

"Electronic" means any communication involving the transmission of information by wire, radio, optical cable, electromagnetic, or other similar means. "Electronic" includes but is not limited to communication via electronic mail, internet-based communications, pager service, cell phones, electronic text messaging, or similar technologies.

Harassment and bullying may include, but are not limited to, the following behaviors and circumstances:

- Verbal, nonverbal, physical or written harassment, bullying, hazing, or other victimization that have the purpose or effect of causing injury, discomfort, fear, or suffering to the victim;
- Repeated remarks of a demeaning nature that have the purpose or effect of causing injury, discomfort, fear, or suffering to the victim;

- Implied or explicit threats concerning one's grades, achievements, property, etc. that have the purpose or effect of causing injury, discomfort, fear, or suffering to the victim;
- Demeaning jokes, stories, or activities directed at the student that have the purpose or effect of causing injury, discomfort, fear, or suffering to the victim; and/or
- Unreasonable interference with a student's performance or creation of an intimidating, offensive, or hostile learning environment.

Sexual harassment means unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

- Submission to the conduct is made either implicitly or explicitly a term or condition of the student's education or benefits;
- Submission to or rejection of the conduct by a school employee is used as the basis for academic decisions affecting that student; or
- The conduct has the purpose or effect of substantially interfering with the student's academic performance by creating an intimidating, hostile, or offensive education environment.

In situations between students and school officials, faculty, staff, or volunteers who have direct contact with students, bullying and harassment may also include the following behaviors:

- Requiring that a student submit to bullying or harassment by another student, either explicitly or implicitly, as a term or condition of the targeted student's education or participation in school programs or activities; and/or
- Requiring submission to or rejection of such conduct as a basis for decisions affecting the student.

Retaliation against a person because the person has filed a bullying or harassment complaint or assisted or participated in a harassment investigation or proceeding is prohibited. An individual who knowingly files a false harassment complaint and a person who gives false statements in an investigation shall be subject to discipline by appropriate measures, as shall a person who is found to have retaliated against another in violation of this policy. A student found to have retaliated in violation of this policy shall be subject to measures up to, and including, suspension and expulsion. A school employee found to have retaliated in violation of this policy shall be subject to measures up to, and including, termination of employment. A school volunteer found to have retaliated in violation of this policy shall be subject to measures up to, and including, exclusion from school grounds. Individuals who knowingly file a false complaint may be subject to appropriate disciplinary action.

The school or school district will promptly and reasonably investigate allegations of bullying or harassment. The building principal or assistant principal or designee will be responsible for handling all complaints by students alleging bullying or harassment.

It also is the responsibility of the superintendent, in conjunction with the investigator and principals, to develop procedures regarding this policy.

The superintendent also is responsible for organizing training programs for students, school officials, faculty, staff, and volunteers who have direct contact with students. The training will include how to recognize harassment and what to do in case a student is harassed. It will also include proven effective harassment prevention strategies. The superintendent will also develop a process for evaluating the effectiveness of the policy in reducing bullying and harassment. As part of this evaluation the superintendent will determine what additional training, if any, is necessary to improve effectiveness of the policy and procedures. The superintendent shall annually report to the board on the implementation of this policy and its effectiveness in reducing bullying and harassment. The superintendent will make recommendations to modify this policy and/or its accompanying procedures to ensure they are effective.

All documentation associated with a complaint shall be maintained by the building principal for a period of three years. The superintendent is responsible for monitoring the written records to ensure the policies and procedures are being followed. The superintendent can be contacted at 300 S. Splitrock Blvd., Brandon, SD 57005 or by calling 605-582-2049.

The board will annually publish this policy. The policy may be publicized by the following means:

- Inclusion in the student handbook,
- Inclusion in the employee handbook
- Inclusion in the registration materials
- Inclusion on the school or school district's web site, and a copy shall be made to any person at the central administrative office at 300 S. Splitrock Boulevard, Brandon, SD.

Adoption Date: August 10, 2009

ANTI-HARASSMENT/BULLYING FORMAL COMPLAINT FORM

Name of complainant: _____

Date of complaint: _____

Name of alleged harasser or bully: _____

Date and place of incident or incidents: _____

Description of misconduct: _____

Name of witnesses (if any) : _____

Evident of harassment or bullying, i.e., letters, photos, etc. (attach evidence if possible):

Any other information: _____

I agree that all of the information on this form is accurate and true to the best of my knowledge.

Signature: _____

Date: _____ / _____ / _____

ANTI-HARASSMENT/BULLYING WITNESS STATEMENT FORM

Name of witness: _____

Position of witness: _____

Date of testimony, interview: _____

Description of incident witnessed: _____

Any other information: _____

I agree that all of the information on this form is accurate and true to the best of my knowledge.

Signature: _____

Date: _____ / _____ / _____

ANTI-HARASSMENT/BULLYING INVESTIGATION PROCEDURES

Students who feel that they have been harassed should:

- Communicate to the harasser that the individual expects the behavior to stop, if the individual is comfortable doing so. If the individual wants assistance communicating with the harasser, the individual should ask a teacher, counselor, bus driver or principal to help.
- If the harassment does not stop, or the individual does not feel comfortable confronting the harasser, the individual should:
 - tell a teacher, counselor, bus driver or principal; and
 - write down exactly what happened, keep a copy and give another copy to the teacher, counselor or principal including;
 - o what, when and where it happened;
 - o who was involved;
 - o exactly what was said or what the harasser did;
 - o witnesses to the harassment;
 - o what the student said or did, either at the time or later;
 - o how the student felt; and
 - o how the harasser responded.
 - teachers or counselors receiving a report, or who witness bullying or harassment, must report the incident to the building principal by the end of the school day in which the event occurred, but in no case later than the morning of the next school day.

FORMAL COMPLAINT PROCEDURE

An individual who believes that he/she has been harassed or bullied will notify the principal or assistant principal in his/her building who is the designated investigator. The alternate investigator is the school counselor assigned to a student's attendance center. The investigator may request that the individual complete the Harassment/Bullying Formal Complaint form and turn over evidence of the harassment, including, but not limited to, letters, tapes, or pictures. The complainant shall be given a copy of the completed complaint form. Information received during the investigation is kept confidential to the extent possible.

The principal or the alternate investigator, with permission from the principal, has the authority to initiate an investigation in the absence of a written complaint.

INVESTIGATION PROCEDURE

The investigator will reasonably and promptly commence the investigation upon receipt of the complaint. The investigation should begin within two school days, or within two work days during school recesses. Extenuating circumstances causing the delay of an investigation must be submitted to the superintendent for approval. The length of the investigation is governed by the facts and complexity of each individual case but should be completed within 30 days of the complaint. The superintendent may approve an extension in special circumstances. The investigator will interview the complainant and the alleged harasser. The alleged harasser may file a written statement in response to the complaint. The investigator may also interview witnesses as deemed appropriate.

Upon completion of the investigation, the investigator will make written findings and conclusions as to each allegation of harassment and produce written findings and conclusions. An alternate investigator will provide a copy of the written findings of the investigation to the principal.

RESOLUTION OF THE COMPLAINT

Following the completion of his/her own investigation or upon receipt of an alternate investigator's report, the principal may investigate further, if deemed necessary, and make a determination of any appropriate additional steps which may include discipline.

The principal will file a written report closing the case and documenting any disciplinary action taken or any other action taken in response to the complaint. The remedial actions taken by the principal, including disciplinary action where appropriate, should be designed to prevent further harassment. The principal, or designee, will monitor the effectiveness of the remedial actions taken by contacting the complainant at least twice during the month following the investigation resolution. These contacts should be included in the documentation. If further remedial actions are necessary, the case shall remain open with ongoing monitoring and documentation. The complainant, the alleged harasser and the investigator will receive notice as to the conclusion of the investigation. The principal will maintain a log of all complaints, findings, and actions taken, and will maintain all documentation related to a complaint investigation for three years. The principal will annually report the number and type of complaints investigated under this policy and the results, including disciplinary actions taken and the effectiveness of those actions as measured by required follow-up contacts, to the Superintendent.

POINTS TO REMEMBER IN THE INVESTIGATION

- Evidence uncovered in the investigation is confidential.
- Complaints must be taken seriously and promptly investigated.
- No retaliation will be taken against complainant/individuals involved in the investigation process.
- Retaliators will be disciplined up to and including suspension and expulsion.

CONFLICTS

If the investigator is a witness to the incident, the alternate investigator shall investigate.

MONITORING EFFECTIVENESS

The superintendent will review the documentation supplied by the building principals annually and report to the Board of Education. In the review the superintendent will report the number and type of complaints filed under this policy with comparative data from previous years as it becomes available. The superintendent will also report the results of the follow-up contacts with complainants as a gauge of the effectiveness of the investigations and subsequent actions. The report may also include district-wide or individual building survey results related to bullying and harassment.

ATTENDANCE CENTERS

The Brandon Valley School District endorses the neighborhood school concept while maintaining full utilization of all elementary classrooms and teachers at all attendance centers. To achieve this goal, teachers/student ratio will be maintained at or near equal levels at each elementary school. Students will attend the school as provided in File:JC-E 1 and JC-E 2 (Maps of the city of Brandon and School Attendance Areas) with the following exceptions:

1. Building assignments of newly enrolled elementary students will be made by the administration depending upon the student/teacher ratio at the respective grade level(s) in either Brandon Elementary, Robert Bennis Elementary, Fred Assam Elementary, or Valley Springs Elementary classrooms.
2. Students will attend the schools in their attendance area as established by File:JC-E 1 and JC-E 2 (Map of School Attendance Areas) if teacher/student ratios permit.

(ADOPTION DATE: June 23, 1986)

(REVISION DATE: February 10, 1997)

(REVISION DATE: November 12, 1997)

(REVISION DATE: November 12, 2002)

(REVISION DATE: July 8, 2003)

(REVISION DATE: September 27, 2004)

(REVIEWED DATE: March 10, 2008)

(REVIEWED DATE: August 10, 2009)

CROSS REFS.: JECC Assignment of Students to School

NOTE: See JC-E 1 and JC-E 2

MAP OF SCHOOL ATTENDANCE AREAS

These maps outline the general elementary attendance boundary lines among Brandon Elementary, Robert Bennis Elementary and Valley Springs Elementary.

The following is the breakdown of areas and attendance centers:

- a) The Corson town students go to the Valley Springs Elementary Center.
- b) Areas A, B, D, E of the Brandon City map are assigned to Brandon Elementary School.
- c) Areas C and G of the Brandon City map and Quads 1 and 3 of the BV School District map for students outside the city limits are assigned to the Robert Bennis Elementary School.
- d) Quads 2 and 4 of the BV School District map for students outside the city limits are assigned to the Valley Springs Elementary School.

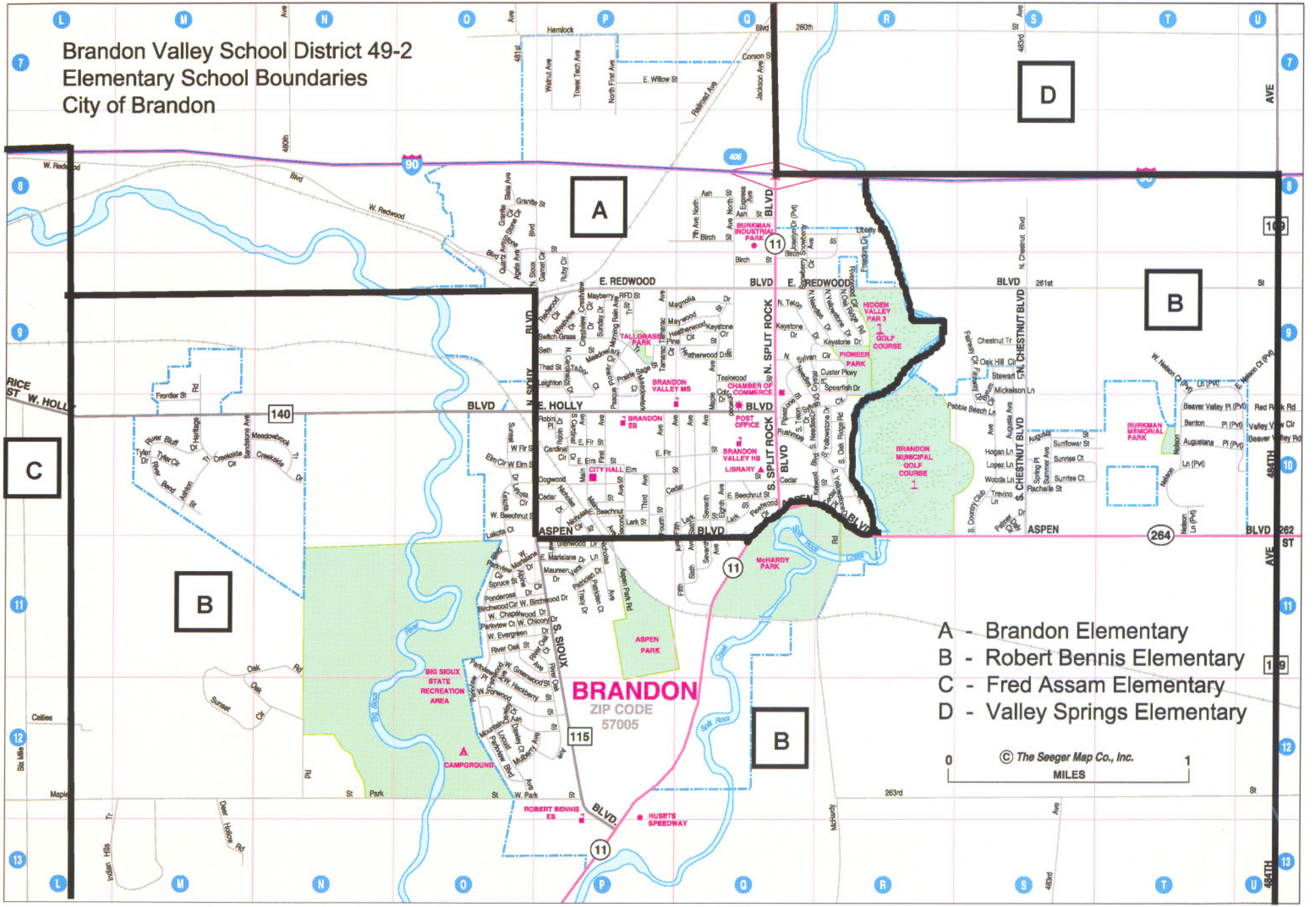
(ADOPTION DATE: June 23, 1986)

(REVISION DATE: July 8, 2003)

(REVISION DATE: September 27, 2004)

(REVIEWED DATE: March 10, 2008)

Brandon Valley School District 49-2 Elementary School Boundaries City of Brandon



- A - Brandon Elementary
- B - Robert Bennis Elementary
- C - Fred Assam Elementary
- D - Valley Springs Elementary

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MILES

COMPULSORY STUDENT ATTENDANCE

Under South Dakota law, students between the ages of six and not exceeding age 18 are of compulsory school age. It is the responsibility of every parent or guardian having a student between those ages to see to the student's attendance at school until the student has reached the age of 18 unless excused. The role of the school in attendance matters is one of cooperation, counseling and reporting to parents. Attendance is a part of each student's permanent record.

It is the duty of the school officials to know the whereabouts of students during the school hours. Students may be excused for specific purposes only through the principal's office.

Any person who does not see to the school attendance of a student in their care will be guilty of a misdemeanor and if convicted, will be subject to a fine as established by law.

No student will be denied the right of attending school without due process of law.

(ADOPTION DATE: February 28, 1992)
(REVISION DATE: December 9, 1996)
(REVISION DATE: September 27, 2004)
(REVISION DATE: April 14, 2008)
(REVISION DATE: September 28, 2009)

REF.: Brandon Valley Student Handbook, Attendance.

CROSS REF.: JEG, Exclusion and Exemptions from School Attendance

STUDENTS ALTERNATIVE INSTRUCTION

A. Excuse from School

State law requires that students of compulsory school age - at least (6) years old by the first day of September and not yet (18) eighteen years old must regularly attend some public or non-public school, unless excused from school attendance by the school board.

All requests for excused absence from school must be in writing. A student will be excused from school attendance if a student is provided with alternative instruction for an equivalent period of time as in the public schools in the basic skills of language arts and mathematics. Any parent or guardian of a student of compulsory school age may request that the student be excused from school attendance. The form for requests for a student to be provided with alternative instruction is provided by the State Department of Education and may be obtained from the superintendent. The request for alternative instruction must be filed annually.

Any request for alternative instruction must be submitted to the Brandon Valley Board of Education for consideration. Any person seeking an excuse from school attendance for alternative instruction which is not recommended for approval by the superintendent may present the request at the next regularly scheduled or special School Board meeting.

Any student ~~so~~ excused from school shall annually take the test required by State law. Any student who has reached (18) eighteen years of age need not be excused from school in order to receive alternative instruction.

B. Enrollment in School.

1. *Elementary Students.* Any student of compulsory school age, who has been receiving alternative instruction in an unaccredited setting, seeking enrollment in the Brandon Valley School District, shall be placed at the student's demonstrated level of proficiency established by the District's standardized tests. The student's placement may not be at a grade level higher than warranted by the student's chronological age, assuming entry to the first grade at age six (6) years and annual grade advancement thereafter. The standardized test shall be administered by school personnel and scored as required by the test protocols. After initial placement, the student may be advanced according to his/her demonstrated performance.
2. *Secondary Students.* Any student who has been receiving alternative instruction in an unaccredited setting and seeks enrollment in the Brandon Valley School in grades 9 or above, shall be placed in the grade level established by standardized English and Mathematics tests, to be administered by the District. The student shall be assigned the minimum passing credit for the grade levels associated with the standardized tests.

The student may request credit for any other subject equivalent to a subject provided by the Brandon Valley Schools. The high school principal shall review the student's alternative instruction transcript and may award credits based upon the student's performance on teacher-made tests provided to students in similar courses in the Brandon Valley Schools. Any such credits so awarded shall count towards the student's required credits for graduation.

A. **Appeals of Decisions.** Any parent, guardian, or eighteen (18) year old student aggrieved by a grade or credit determination may, pursuant to this policy, appeal the determination to the School Board. Decisions made by the School Board under this policy may be appealed to the Secretary of the Department of Education and Cultural Affairs, pursuant to SDCL 13-27-8.

(ADOPTION DATE: January 22, 1996)
(REVISION DATE: January 27, 1997)
(REVISION DATE: September 27, 2004)
(REVISION DATE: April 14, 2008)
(REVISION DATE: September 28, 2009)

CROSS REF.: JECAA

ENTRANCE AGE

Kindergarten

All students entering kindergarten for the first time must be five years of age on or before September 1.

When a student has been enrolled in kindergarten prior to moving to the district, and does not meet South Dakota entrance age requirements, a conference involving the building principal, the teacher, and the parent will be held. The parent will be informed that the student will be placed in kindergarten on a trial basis until such time as the principal and teacher can determine whether the welfare of the student can best be served by retaining him or her in school or by withholding admission until the following school year. In most cases, the trial period will not exceed two or three weeks.

First Grade

All students entering first grade must be six years of age before September 1. However, a parent may request a waiver of compulsory attendance requirement under the age of seven years of age. First grade transfer students who do not meet state age requirements will be handled in the same manner as the kindergarten students. A student not yet prepared for first grade may be placed in kindergarten.

Proof of birth date will be required, by submitting a certified copy of the student's birth certificate or affidavit. The school will make a copy of the original and place it in the school files.

(ADOPTION DATE: February 28, 1983)
(REVISION DATE: October 28, 1991)
(REVISION DATE: September 27, 2004)
(REVIEWED DATE: March 10, 2008)

SCHOOL ADMISSIONS

In accordance with state law, all persons over five and under 21 years of age and all veterans (except dishonorably discharged veterans) who are residents of the district will be eligible to attend the public schools free of charge, if they have not already received a high school diploma. Persons over the age of 21 may attend Brandon Valley High School if pre-approval is given by the Superintendent and approved by the Board of Education.

Upon registration, all new students will be requested to present:

1. Proof of date of birth through a birth certificate or affidavit in lieu of birth certificate.
2. Record of immunization and a health certificate from a licensed physician.
3. Proof of residency, if requested.

(ADOPTION DATE: February 28, 1983)
(REVISION DATE: September 27, 2004)
(REVIEWED DATE: March 10, 2008)

CROSS REF.: JHCA/JHCB, Physical Examinations of Students/Inoculations of Students

ADMISSION OF RESIDENT STUDENTS

The legal residence of a student, for the purpose of claiming public school privileges will mean the legal residence of the student's parents or legal guardian.

The parents or legal guardian may not establish residency in a district for the sole purpose of obtaining free school in that district.

A student's school residence may not change during the school fiscal year unless the student ceases to be an enrolled member of a school within the district.

When a student is residing in a foster home on a permanent or temporary basis, the student has school residence in the district where the foster home is located.

(ADOPTION DATE: February 28, 1983)
(REVISION DATE: October 28, 1991)
(REVISION DATE: January 22, 1996)
(REVISION DATE: September 27, 2004)
(REVISION DATE: April 14, 2008)

CROSS REFS.: JEC, School Admissions

NEW RESIDENTS

Grade placement shall be the responsibility of the principal. In general, pupils transferring into the district from accredited schools will be placed in the same grade level as in the school from which they transferred.

A student of compulsory school age, that has been attending an unaccredited school or receiving alternate instruction (SDCL 13-27-3) and enrolls in the school district, shall be placed at the student's demonstrated level of proficiency as established by one or more standardized tests. The student's initial placement may not be in a grade level higher than warranted by the student's chronological age assuming entry into the first grade at age six and annual advancement thereafter. After initial placement the student may be advanced according to his/her demonstrated performance.

High school credit will be accepted from high schools approved by the state department of education and/or regional accrediting agencies similar to the North Central Association of Colleges and Schools. A student who has attended an unaccredited school or has been receiving alternative instruction (SDCL 13-27-3) and enrolls in the school district shall be placed in English and Mathematics at the level of achievement demonstrated by one or two standardized tests. In all other subjects the principal shall take into consideration transcripts; general achievement; and mental, physical, emotional, and social maturity of the student before grade placement. The student's initial placement may not be in a grade level higher than warranted by the student's chronological age assuming entry into the first grade at age six and annual advancement thereafter. After initial placement the student may be advanced according to his demonstrated performance. A student to graduate from high school must meet graduation requirements of the state and school district.

Any parent or guardian who is dissatisfied with the principal's determination of credit may appeal to the superintendent and, if still dissatisfied, to the Board of Education.

(ADOPTION DATE: May 23, 1988)
(REVISION DATE: September 27, 2004)
(REVISION DATE: April 14, 2008)

TRANSFERS FROM NON-ACCREDITED SCHOOLS

The Brandon Valley School District will accept credits of students transferring from non-accredited school subject to the following conditions or guidelines:

1. A standardized achievement test shall be administered and evaluated by the building principal and staff of the school to which the student is seeking admission.
2. The student will be placed in English and mathematics courses at the level of achievement demonstrated by the tests, as evaluated by the principal and appropriate staff. The student's placement may not be in a grade level higher than warranted by the student's chronological age, assuming entry into the first grade at age six and annual grade advancement thereafter. After initial placement, the student may be advanced according to the student's demonstrated performance.
3. In all other subjects the students shall be interviewed and shall take a departmental examination in each course for which the granting of credit is being considered. After the examination and interview with the student, the department chairpersons and staff will recommend to the building principal whether or not credit be granted for the course.
4. No credit will be granted for any science course which is normally a laboratory course, unless clear documentation is provided demonstrating that the student has satisfactorily participated in laboratory experiences which parallel or are consistent with those required in this district's science courses.
5. Any parent or guardian who is dissatisfied with the secondary placement of a student may appeal it to the superintendent of schools. Final appeal after the appeal at district level may be made to the state secretary of education.

CROSS REF: Policy IKFB Graduation/Separation

ADOPTION DATE: November 23, 1993
REVISION DATE: September 27, 2004
REVIEWED DATE: March 10, 2008

ADMISSION OF NONRESIDENT STUDENTS/ASSIGNMENT OF RESIDENT STUDENTS

This policy is enacted to fairly allow admission and assignment of both resident and non-resident students in the Brandon Valley School District. For the purposes of this policy, the term "resident district" means the district in which a student has legal residence as determined by SDCL 13-28-9. The term "non-resident district" means any district in which a non-resident student seeks to enroll. The term "assigned school" means the attendance center within the district to which a resident student is assigned. The term "non-assigned school" means an attendance center within a resident student's district to which the student has not been assigned. An "emancipated student" is a student under the age of 18 who (1) has entered into a valid marriage, (2) is on active military duty, or (3) who has obtained a court order declaring the student emancipated.

The Brandon Valley School District will accept students from other districts wishing to enroll provided the Brandon Valley School District can provide a quality educational program based upon factors/criteria/standards adopted by the board (see Section C below) and subject to the following general principles:

A. GENERAL PRINCIPLES

1. A student who is a legal resident of another South Dakota district seeking to open enroll into the Brandon Valley School District must apply to the Brandon Valley School District. The application must be on quadruplicate forms provided by the Department of Education and available in the Superintendent's office. The application must be made by the student's parent or guardian (if the student is under age 18) or by an emancipated student.
2. For nonresident student transfers, parents/guardians or the emancipated student shall authorize the resident district to provide copies of the student's educational records, attendance, health and discipline records to the Brandon Valley School District sufficiently in advance in order to process enrollment and class scheduling.
3. The applications for nonresident students will be approved or disapproved by the Brandon Valley School Board at the subsequent regularly scheduled board meeting. The applicant and resident district will be notified of the decision within five days of the decision. Applications for enrolling nonresident students will be acted upon in the order received.

4. An application may be withdrawn by the applicant prior to approval of the request and upon written notification to the Superintendent. Once approved by the district in which the student wishes to enroll, the approved application serves as the applicant's notice of intent to enroll in the nonresident district or desired school and obligates the student to attend the nonresident district or school during the school year, unless the affected school board or boards agree in writing to allow the student to transfer back to the resident district or assigned school, or unless the parents, guardians, or emancipated student change residence to another district.
5. Open enrollment applications for a resident student to transfer next school year to an attendance center other than that to which the student has been assigned must be submitted prior to the new school year. Applications will be acted on by the Brandon Valley School Board at the next regular board meeting, except kindergarten requests which may be held until the August Board meeting when student enrollment numbers are known. Decisions regarding transfers among attendance centers within a district will be based upon the factors/criteria/standards set forth in Section B. Applications of resident students will be acted upon in the order received, based on equalization of class sizes and boundary lines in the district.
6. Once a nonresident student is enrolled in the Brandon Valley School District or a resident student enrolls in a different attendance center, the enrollment will be continuous from one school year to the next unless (a) the parents/guardians or emancipated student changes residence into another school district or (b) until a subsequent transfer application is received and approved.
7. A non-resident district will accept credits granted for any course successfully completed in another state accredited school. The Brandon Valley School District will award a diploma to a non-resident student only if the student satisfactorily meets the Brandon Valley School District's graduation requirements.
8. Transportation to and from school for a nonresident student attending school in the Brandon Valley School District or a resident student transferring to a different attendance center within the Brandon Valley School District is the responsibility of the applicant/family.
9. **Open Enrollment of Special Education Students.**
A request to transfer a student in need of special education or special education and related services may be granted only if, after a review of all relevant student education records and direct communication with the student's parent or guardian and representatives of the resident district, the Brandon Valley School District special education administration determines that the District can provide an appropriate instructional program and facilities, including

transportation, to meet the student's needs. If the request to transfer is granted, the Brandon Valley School District is responsible for the provision of a free appropriate public education for the student in need of special education or special education and related services. If the student requires transportation as a related service, the Brandon Valley School District shall provide or ensure the provision of transportation within the boundaries of the attendance center to which the student is assigned.

If the Brandon Valley School District special education administration is not able to confirm the provision of an appropriate instructional program, facilities, and transportation if necessary, based on the records review and communication with the student's parent or guardian and representatives of the resident district, the District must initiate an individual education program team meeting consisting of representatives from the resident district and the Brandon Valley School District to determine whether the Brandon Valley School District can provide an appropriate instructional program, facilities, and transportation if necessary.

A request to transfer a student in need of special education or special education and related services may be denied only pursuant to SDCL 13-28-44 or if an individual education program team consisting of representatives from the resident and nonresident districts determines that the nonresident district cannot provide an appropriate instructional program and facilities, including transportation, to meet the student's needs.

If a parent or guardian of a student in need of special education or special education and related services requests to transfer the student back to the resident district, provisions outlined in paragraph #4 above of this policy, JECB/JECC, apply.

If it is determined that a parent or guardian of a student in need of special education or special education and related services submitted a request for an open enrollment transfer but did not indicate that the student needs special education services on the application, the open enrollment transfer will be void and the process for consideration of the open enrollment transfer request will be conducted as outlined in this policy to determine if the student's open enrollment request can be approved.

B. FACTORS/CRITERIA/STANDARDS FOR BOARD DECISIONS ON TRANSFER APPLICATIONS

Discrimination based upon race, gender, religious affiliation, or disability is prohibited.

The Brandon Valley School District will not deny an application for a nonresident student to enroll in the District if doing so would result in students from the same family attending school in different school districts. EXCEPTION: Special education is governed by federal and state laws and therefore decisions affecting students in special education will be made for each student based solely on the needs of the student as determined by the placement committee.

1. The following factors/criteria/standards will be considered by the Board with respect to each application, and the acceptance or rejection of the application, for students wishing to enroll in the Brandon Valley School District and for resident student transfer requests to a different attendance center within the District:

- a. Written statement of reason(s) from the parents/guardians or emancipated student to be submitted with the application and stating why the parent(s)/guardians/emancipated student wishes the student to enroll in the Brandon Valley School District or change attendance centers;
- b. Student's educational and discipline history in the resident district and any other previous school districts attended;
- c. Financial impact on the Brandon Valley School District, if any;
- d. Educational impact on the Brandon Valley School District, if any, including impact on existing and projected class sizes and student/teacher ratios, current staffing and projected staffing needs, and facilities;
- e. Rules and regulations promulgated by the Department of Education and Cultural Affairs' relating to the open enrollment program.

2. Each application will be considered individually and in the order received. The Board may deny applications for any of the following reasons:

- a. The application was not timely;

b. If after consideration of the criteria/factors/standards established in paragraph B.1 above the Board determines the District would not be able to provide a quality educational program to the student;

c. If the applicant has been convicted of possession, use or distribution of any controlled substance, including marijuana

d. If the applicant has been convicted of a weapons charge relating to schools.

C. MISCELLANEOUS PROVISIONS

1. This policy shall be published annually and a copy of this policy shall be given to each nonresident student and/or the student's parents or guardians, and to each resident student and/or the student's parents or guardians if wishing to transfer to another attendance center within the district. A copy of the policy shall be given to any other person upon request.

2. If a nonresident student applicant is under suspension or expulsion in the resident district at the beginning of the school year in which the student would otherwise enroll state law prohibits the student from enrolling in the Brandon Valley School District during the period of suspension or expulsion. However, the Board may approve an application from a nonresident student with enrollment to begin following the suspension or expulsion.

3. Appeals of a board decision to deny an application submitted under this policy are to be made to Circuit Court pursuant to SDCL ch. 13-46.

(ADOPTION DATE: February 28, 1983)

(REVISION DATE: October 28, 1991)

(REVISION DATE: October 10, 1994)

(REVISION DATE: January 22, 1996)

(REVISION DATE: August 25, 1997)

(REVISION DATE: November 12, 1997)

(REVISION DATE: February 9, 2000)

(REVISION DATE: September 25, 2000)

(REVISION DATE: November 9, 2004)

(REVISION DATE: April 14, 2008)

CROSS REFS.: IGBA, Programs for Handicapped Students
LB, Relations with Other Schools and School Districts

ADMISSION OF EXCHANGE STUDENTS

The Board of Education supports the inter-relationships obtained through the attendance of foreign exchange students in the Brandon Valley High School.

The Board believes this program strengthens the understanding between cultures to help achieve the goal of world peace. However, the program's value must be balanced with the financial responsibility and internal adjustments necessary to accommodate these students. Therefore, the Brandon Valley School District will allow four (4) foreign exchange students per school year at the High School. This number will be obtained on a "first come first provided" basis as authorized by the Board of Education. Host families must complete the state required change of residency applications. In addition, the following guidelines will be used to select foreign exchange students:

1. All exchange students need the approval of the high school principal for acceptance.
2. Exchange students will only be accepted if they are enrolling for the entire school year. Students wishing to enroll for one semester will not be accepted.
3. BVHS will not provide classes for credit for exchange students. An exchange student needing credits from BVHS to graduate from their home school will not be accepted.
4. BVHS will determine the grade classification of all exchange students. Exchange students will be classified as either sophomores or juniors.
5. The exchange student must have a host family that is a resident of the Brandon Valley School District.
6. The host family must have a high school student enrolled during the academic year that they wish to host an exchange student.
7. The exchange student must meet all of the requirements set forth by the State of South Dakota and the federal government.
8. July 1 is the deadline for a company representing foreign exchange students to make a formal request for placement as an exchange student for the following school year.
9. The principal has the authority to waive any BVHS rules as he/she feels are appropriate.

(ADOPTION DATE: January 11, 1988)

(REVISION DATE: September 27, 2004)

(REVISION DATE: April 14, 2008)

ASSIGNMENT OF STUDENTS TO SCHOOLS

The Administration has the authority to make assignments and distribute the students residing within the district to the schools. Efforts will be made to assign students to their neighborhood school.

(ADOPTION DATE: February 28, 1983)
(REVISION DATE: February 10, 1986)
(REVISION DATE: October 10, 1994)
(REVISION DATE: January 22, 1996)
(REVISION DATE: August 25, 1997)
(REVISION DATE: September 12, 2002)
(REVISION DATE: September 27, 2004)
(REVIEWED DATE: March 10, 2008)

CROSS REF.: AC, Nondiscrimination
JB, Equal Educational Opportunities

STUDENT WITHDRAWAL FROM SCHOOL

Student withdrawal from school may be classified into two categories: Those who transfer to another school system, either public or private, and those who withdraw from permanent attendance at any school (dropouts).

If a student wishes to withdraw from school to transfer to another school district he/she should see the principal who will instruct him/her as to procedure. When transferring to another school, a student should make arrangements with the office to forward credits to the proper school. All outstanding obligations to the school the student is currently enrolled in must be satisfied before credits can be transferred.

The Board is very concerned about those students who may permanently withdraw from school. The Board believes a high school diploma signifies the minimum preparation for life. Consequently, students who withdraw from school may have less than a minimum preparation. Therefore, the Board strongly urges every teacher, guidance counselor, principal, parent, citizen, and the superintendent to exert all influence to keep all students in school through high school graduation.

The instructional staff should be alert to potential dropouts and do everything possible to give the necessary guidance to such students. The regular school program should be organized and modified to suit the student's needs and aspirations. Conferences with parents will be necessary. All students should be asked to notify the principal before withdrawing. The school should keep in contact with students who have withdrawn.

Students who are 16 years of age, (beginning in the fall of 2009, that age is 18), and who have parent/guardian written approval to withdraw from school, may withdraw from school. Each student will be informed of his/her right to be readmitted to school upon request.

Students seeking re-admittance to the district's schools will be permitted to re-enroll at the beginning of the established semesters, and will be required to provide notification of their intent to re-enroll one week prior to the start of a semester.

(ADOPTION DATE: February 28, 1983)
(REVISION DATE: September 27, 2004)
(REVISION DATE: April 14, 2008)

STUDENT ABSENCES AND EXCUSES

Certain absences of students will be excused by the principal on receipt of a written, signed explanation from the parent or guardian. These absences will include:

1. Illness or quarantine.
2. Bereavement or serious illness in family.
3. Weather so inclement as to endanger the health of the student.
4. Observance of major religious holidays.

A student may also be excused for other exceptional reasons with approval of the school administrator. Also with such approval, students may be excused from school attendance for up to five days each term for attendance at a state or nationally recognized youth program of educational value.

In instances of chronic or irregular absence reportedly due to illness, the school administration may request a physician's statement certifying such absences to be justifiable. Any absence other than excused absence is considered truancy.

(ADOPTION DATE: February 28, 1983)

(REVISION DATE: September 27, 2004)

(REVIEWED DATE: March 10, 2008)

CROSS REFS.: JEG, Exclusions and Exemptions from School Attendance
REF.: Brandon Valley Student Handbook - ABSENTEEISM

ABSENCE FROM SCHOOL

The following regulations apply to all students and pertain to absences of all types. Administrative discretion will be used when necessary.

ABSENCE FROM SCHOOL DURING REGULARLY SCHEDULED SCHOOL HOURS:

1. Generally, the only absences excused are:
 - a. Personal illness
 - b. Family emergency (death, serious illness)
 - c. Funeral
 - d. Dental or medical appointments that cannot be made on Saturday
 - e. School sponsored activities. When possible students should notify teachers in advance of absence.

1. If a student is expected to be absent, parents should call the school between 8:00 and 9:00 am. If no call is received by 9:00 am, the school will call the home and make every effort to contact a parent to verify the absence. A written excuse is not necessary if the parent has made a phone call.

2. A student shall not leave school during the school day without reporting to the principal's office and obtaining permission. Failure to report to the office shall result in being charged with an unexcused absence or truancy.

3. If a student becomes ill while in school, he/she shall report to the principal's office. An attempt will be made to contact a parent before allowing the student to go home. All students will be asked to list two (2) additional people whom the school may call if contact cannot be made with either parent.

4. Perfect attendance recognition is accorded to those students who are neither absent nor tardy on a semester and yearly basis.

5. A student must be in attendance during the day of an evening activity in order to participate, unless he/she has an excused absence.

6. An absence from school without the authorization of the parents or the school prior to the absence shall be considered truancy.

7. After an absence, students must report to the principal's office to receive an admit slip before returning to class.

8. In the case of an excused absence, the student shall make up the work and receive full credit. Students will be given at least as many school days as they

were absent plus one additional school day to make up the work for full credit. It will be the sole responsibility of the student to make arrangements with the teacher for assignments and class activities missed during a parental request absence. If a grading period falls within the allowed time to make up work due to an absence, an "incomplete" shall be recorded. Incompletes become a "failure" if not made up within time allowed although teachers may extend deadlines under unusual circumstances. In the case of an unexcused absence or truancy, the student shall make up the work, but will receive no credit.

9. Whenever any student is absent more than twelve (12) days in any one quarter, more than twenty (20) days in a semester, or more than thirty (30) days during the entire school year, the parents shall be notified that the student's absentee record will be reviewed by the school principal with the possibility that the student may be referred to the Board of Education for a hearing regarding attendance.
10. In the event a student needs transportation while at school such transportation arrangements will be made with parents. The solicitation of transportation by the student with another student will not be approved.

(ADOPTION DATE: February 28, 1983)
(REVISION DATE: September 27, 2004)
(REVIEWED DATE: March 10, 2008)

TRUANCY

Through cooperation with parents, strict adherence to regulations in regard to tardiness and unexcused absence, and diligence in investigating the causes of absence, the principals will endeavor to reduce tardiness and truancy.

The district truancy officer will be responsible for enforcing the compulsory attendance laws, which require regular attendance, provide for penalties if parents and guardians do not carry out their responsibilities, and establish procedures for referral of a truant student to juvenile authorities.

District truancy responsibilities are delegated to a resource officer or Brandon Police Department.

(ADOPTION DATE: February 28, 1983)
(REVISION DATE: September 27, 2004)
(REVIEWED DATE: March 10, 2008)

CROSS REFS.: IGBA, Programs for Handicapped Students
JEA, compulsory Attendance Ages

REF.: Brandon Valley Student Handbook – Tardiness.

STUDENT DISMISSAL PRECAUTIONS

A teacher may not permit any individual student to leave school prior to the regular hour of dismissal except by permission of the principal.

No student will be permitted to leave school prior to the dismissal hour in the company of anyone other than a school employee, or parent/guardian of the student, unless permission of the parent/guardian has been first secured. If a policeman or court official requests the dismissal of a student during school hours, they must have a warrant or written request by parents/guardians before the student is dismissed.

(ADOPTION DATE: February 28, 1983)
(REVISION DATE: September 27, 2004)
(REVIEWED DATE: March 10, 2008)

CROSS REFS.: JFG, Interrogations and Searches

STUDENT ATTENDANCE ACCOUNTING

As required by state law, the superintendent will be responsible for an accurate record of the attendance or nonattendance of all students who are enrolled in school. The school district truancy officer will also keep a record of all those students who are required by law to be enrolled in school and who do not attend, or whose attendance is irregular.

(ADOPTION DATE: February 28, 1983)
(REVISION DATE: January 22, 1996)
(REVISION DATE: September 27, 2004)
(REVIEWED DATE: March 10, 2008)

CROSS REFS.: JEDA, Truancy

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PUBLIC SCHOOL EXEMPTION/HOME SCHOOL STUDENTS

The law provides for the exemption of alternative education_students of compulsory school age from attendance when the student is provided with competent alternative instruction for a like period of time as would be provided by the public schools.

The Board may issue a certificate of exemption for a student after an application for alternative education_has been made in writing. The certificate will state the reason for the excuse and the period for which it is issued.

(ADOPTION DATE: February 28, 1983)
(REVISION DATE: February 10, 1986)
(REVISION DATE: October 28, 1991)
(REVISION DATE: January 22, 1996)
(REVISION DATE: September 27, 2004)
(REVIEWED DATE: March 10, 2008)

REF: IGDK, Participation of Alternative Instruction Students

STUDENT RIGHTS AND RESPONSIBILITIES

The Board recognizes it has the responsibility to assure students the legal rights that are theirs by virtue of guarantees offered all persons under the federal/state constitutions and statutes. In connection with rights are responsibilities that must be assumed by students.

Students are responsible for the way they exercise their rights, and must accept the consequences of their actions and recognize the boundaries of their rights. Each exercise of an individual's rights must demonstrate respect for the rights of others.

It is the Student's Right to:

- Attend school in the district in which their parent or legal guardian resides
- Attend school until graduation from high school at public expense
- Obtain free textbooks needed in the course of study
- Attend school at no expense even though married
- Assist in making decisions affecting their life in school
- Express opinions verbally or in writing
- Expect that the school will be a safe place for them to gain an education
- Dress in such a way as to express individual personality
- File a grievance with the appropriate school official when accused of misconduct
- Be afforded a fair hearing with the opportunity to call witnesses on their own behalf, and to appeal case in event of disciplinary action
- Expect that where if they bear witness in a disciplinary case, their anonymity will be honored by the school
- Be represented by an active student government selected by free school elections
- Assist in the making of school rules

It is the Student's Responsibility to:

- Attend school daily, except when ill, and to be on time to all classes
- Attend school until (16) sixteen years of age (beginning in the fall of 2009, the age is (18) eighteen)
- Pay admission to activities if attendance therein is voluntary
- Pursue and attempt to complete the course of study prescribed by the state and local authorities
- Express his/her opinions and ideas in a respectful manner so as not to offend or slander others
- Be aware of all rules and regulations for student behavior and conduct themselves in accordance.
- Dress and appear so as to meet fair standards of propriety, safety, health and – good taste
- Be willing to volunteer information in disciplinary cases should they have knowledge of importance

- Assist the school staff in running a safe school for all students enrolled therein
- Take an active part in student government by running for office, or voting for the best candidates; making their problems known to the staff through their representative
- Assume that until a rule is waived, altered or repealed that it is in full effect

As part of the educational process, students should be aware of:

- Their legal rights.
- The legal authority of the Board of Education.
- The delegated authorities of the staff to make rules regarding the operation of the school.

(ADOPTION DATE: February 28, 1983)

(REVISION DATE: September 10, 2001)

(REVISION DATE: September 27, 2004)

(REVISION DATE: April 14, 2008)

REF.: Brandon Valley Student Handbook

CROSS REF.: IGDB, Student Publications

STUDENT DUE PROCESS RIGHTS

All students are entitled to due process when they are subjected to disciplinary actions such as suspension or expulsion. The Board and school officials have the legal authority to deal with disruptive students and student misconduct. Due process, in the context of the administrative proceedings carried out by school authorities, refers to the hearing procedures established by the State Board of Education.

Due process procedures will conform to the following basic principles.

- They must be fair.
- They must apply equally to all.
- They must be enforced in a fair manner, which involves:
 - Adequate and timely notice and an opportunity to prepare a defense.
 - An opportunity to be heard at a reasonable time and in a meaningful manner.
 - The right to a speedy and impartial hearing on the merits of the case.

(ADOPTION DATE: February 28, 1983)

(REVISION DATE: October 10, 1994)

(REVIEW DATE: September 10, 2001)

(REVISION DATE: September 27, 2004)

(REVIEWED DATE: March 10, 2008)

REF.: Brandon Valley Student Handbook – Due Process.

CROSS REF.: JGD/JGE Student Suspension/Expulsion

**BRANDON VALLEY SCHOOL DISTRICT 49-2
CRISIS MANAGEMENT TEAM GUIDELINES**

GOAL

The following procedures and guidelines are intended to enable the Brandon Valley School District to better deal with the unforeseen tragedies that affect the ordinary functioning of the students, their families, and staff members in the event of crisis or tragic loss.

PURPOSE

To maintain the orderly operation of the school and to meet the needs of students, their families, and staff in the event of a crisis or tragic loss involving a student or staff member, as defined by the Crisis Management Team.

OBJECTIVES

1. To maintain a safe environment for students and staff.
2. To meet the special needs of individual students by working with parents, school staff, the community and/or specialists.
3. To communicate with staff, students, parents, and the general public through the most effective and practical methods.
4. To continue effective instruction and carry out established routines, rules and regulations.
5. To present a unified and predictable plan of action by the school in the event of a crisis.

CRISIS TEAM MEMBERS AND ROLES

- Superintendent: Coordinating the response of building principals and managing the school's response to the general public and media. (See Appendix A, Media Policy).
- Principals: Ensuring that crisis procedures are in operation in their building and initiating a "chain call" to other team members when necessary.
- Counselors: Working as a team to initiate strategies in the management of the crisis.
- Support Staff: School staff, specialists and appropriate community members designated by the Crisis Team during individual crises. Support staff may include teachers, school nurses, coaches, clergy, law enforcement, consultants, or other individuals deemed appropriate by the Crisis Team.

CRISIS INTERVENTION PROCEDURES

*******Crisis Team Members Must Wear Name Tag For Recognition
By Staff And Students*******

The following procedures may be used in full or in part as needed for each individual crisis event, and as determined by the Superintendent.

1. The Crisis Team will meet to determine the necessity of initiating any or all of the procedures. Local authorities or appropriate individuals may be called in to consult with the Team in this decision. Responsibility will be delegated to individual team members at this time. Appropriate team members will be chosen to make family contact. Staff should review procedures as described in appendixes A-F.
2. Individual building principals and crisis team members will meet with staff before school to relay facts and answer questions; to dispel rumors, initiate strategies to deal with student reactions; and identify "high risk" students who may be strongly affected.
3. Principals will meet with their staff to announce funeral arrangements, discuss staff attendance, school policy regarding student dismissal, share new information, and present the plans for the individual classroom meetings.
4. Immediate friends will be identified and provided counseling, if desired. Staff will be directed to heighten their sensitivity to those students.
5. Principal will make announcements to the students in their classrooms. Teachers will be in their classrooms during the announcements and will openly acknowledge student feelings, explain the circumstances of the event, dispel rumors, and let students know that counseling is available.
6. The principal, counselor and appropriate team members will meet with individual classes to help students better deal with their feelings, dispel rumors, offer reassurance, and encourage students to be supportive of their fellow classmates and friends.
7. Parents of students identified as "high risk" will be contacted and offered support from the school.
8. All building staff will assemble after school to allow for expression of feelings and support, review, and evaluate the events of the day, compile a list of "high risk" students and assess their individual needs.

9. The Crisis Management Team will meet to evaluate the events of the day. The team will discuss the appropriateness of meetings to support students and parents, review and plan classroom meetings for the next day, identify and assess the needs of "high risk" students and discuss school dismissal policy.

10. Continued crisis counseling will be offered to students, parents, and staff as needed.

11. The Principal and/or counselor will be responsible for returning the personal effects and appropriate records that are requested by the family.

12. The Crisis Management Team will meet to evaluate the effectiveness of the school and staff, and the effectiveness of the crisis procedures, following the conclusion of the event.

APPENDIX A
CRISIS SITUATION MEDIA PARAMETERS

The Superintendent is designated as the school district's media representative for crisis situations. This responsibility may be delegated as deemed appropriate by the Superintendent.

1. All media correspondence, and requests will be directed to the Superintendent's Office.
2. No students shall be interviewed within the school or the school premises.
3. No staff shall be interviewed except those who have been designated by the Superintendent.
4. No cameras will be allowed within a school building, except as permitted by the Superintendent.
5. All questions are to be directed to the Superintendent or designated representative, through the office of the Superintendent.
6. All official school district statements will be issued by the Superintendent or designated representative.
7. All members of the media are asked to show consideration for emotional welfare and educational interests of the students by complying with above listed procedures.

**APPENDIX B
PRINCIPAL'S ROLE
TEN STEP PLAN TO DEAL WITH CRISIS**

Following are TEN STEPS the building principal should follow in dealing with the sudden death of a student or staff member. These steps may be modified to reflect the circumstances of individual situations.

PRINCIPAL'S ROLE

STEP #1 – Prior to meeting with the entire staff, meet with the crisis management team for the purpose of identifying the agenda to be followed for the day. (Staff members may be notified if appropriate).

STEP #2 – Identify a team leader who will orchestrate the activities of the crisis support staff and students over the next several days. This person will be the “hub” of information and, in many instances, may be a counselor.

STEP #3 – Direct a staff member and police to immediately go to the deceased student's locker or to the deceased staff member's workspace, remove the contents, and bring the belongings to the principal. This shall be completed prior to the students arriving at school to prevent theft or unauthorized removal of the property.

STEP #4 – Direct a staff member to review the deceased student's cumulative folder to determine what other schools the deceased attended. The principal should call the other school(s) and inform them of the event that has occurred.

STEP #5 – Identify a support center area in the building where students and staff may come for support and counseling. This area should be close to the guidance office and/or the main office to facilitate communications between guidance and administrative staff.

STEP #6 – Decide with the crisis management team what will be reviewed at the mandatory all staff meeting.

STEP #7 – Prepare an announcement to be read over the P.A. System to the students or be presented by the classroom teacher.

NOTE: It is important to have a central spokesperson for all announcements to students. By the time students reach school following a sudden death; many will have heard differing versions about what happened. The presence of a strong, caring, and supportive authority figure (i.e., the principal) sharing information during this stressful time is important.

Two examples of an announcement are the following:

- a. I feel saddened by the sudden death of one of our (students) (staff members) _____. On behalf of the entire faculty and student body, I wish to express our school's deepest sympathy to relatives and friends who knew and loved _____.
- b. Students, may I have your attention please? Last night, (student/staff member name) from our (_____ class died). This morning, faculty met to develop a plan to help all of us cope with this sad event. Your teacher has been given some suggestions on how to proceed with classroom activities today. Additionally, there will be special counseling available for any student who feels the need for some extra support. Counselors will be available in (give location) all day. I would like all of us to reflect for a minute in memory of (student/staff member's first name). (PAUSE) Your teachers will now spend some time with you in discussion. Thank you for your attention.

STEP #8 – Direct a staff member to gather funeral arrangement information and to prepare details for student staff attendance at the visitation and funeral. When details are final, an announcement should be made to staff and students.

NOTE: It is important to have staff members present during the entire visitation period to assist the funeral director in comforting distraught children and teens. (See APPENDIX F).

Designate one secretary who will know how to reach the principal throughout the day, so that the principal can respond to any emergency/administrative situation that may develop.

STEP #9 – Call and/or visit the family as appropriate to express condolences. Visiting the family is encouraged, and the principal should take along a staff member who has been well acquainted with the student or staff member.

STEP #10 – Following the funeral, begin to bring closure by encouraging staff to resume regular activities as quickly as is appropriate.

On the day following the funeral, the principal should make the following closure statement to all students and staff (this is done the day following because many of the deceased's closest friends may not have returned to school the day of the funeral.):

"May I have your attention please? I wish to thank each of you, students and staff, for the support you have shown each other during the past few days. The example you have shown is a positive and healthy one and provides us the opportunity to work towards strengthening our relationships with each other. Guidance staff remains available if you should wish to talk with a counselor. (Any additional comments from the family that have been passed on to the principal might be shared at this point.) Thank you for your attention."

**MANDATORY ALL STAFF MEETING
(ROLE OF PRINCIPAL AND CRISIS MANAGEMENT TEAM)
Appendix B (cont.)**

Prior to the commencement of school, the principal should have an all-staff meeting. Generally, the principal will have approximately fifteen minutes to meet with staff. In addition to the "before school" meeting, it is important to hold an "after school" meeting to discuss the day's events and to talk about any students the faculty has concerns about.

STEP #1 – Principal will announce an immediate all staff mandatory meeting.

STEP #2 – Principal identifies crisis management team leader. This person will assist the principal in directing staff activities.

STEP#3 – Principal and the crisis management team leader informs staff what is expected of them and reviews media procedures. (See APPENDIX A). Also, all known public facts regarding the event should be shared with the staff.

If death was by suicide, emphasize this tragedy as an "error in judgment". Suicide is a permanent solution to temporary problems. Encourage students to talk about ways to cope with stress.

STEP #4 – Entertain questions from the staff and/or requests staff may have.

STEP #5 – Inform staff what announcement will be made to the students and when the announcement will be made.

STEP #6 – Principal announces a mandatory staff meeting after school to review the day's events. This allows an opportunity to receive feedback from faculty, to answer questions, and to review the next day's expectations.

STEP #7 – Principal informs all staff members that any media presence or requests for information should be immediately directed to the SUPERINTENDENT. (See APPENDIX A.)

APPENDIX C TEACHER'S ROLE

Teachers play a vital role in helping students deal with their feelings regarding the crisis. It is important for teachers to review the information contained in this Appendix.

STEP #1 – Attend all staff mandatory meeting and view the media packet.

STEP #2 – Principal will make an announcement to the students in their classrooms. Teachers will be in their classrooms during the announcement and will openly acknowledge and encourage students feelings of loss, anger, sadness, etc; explain the circumstances of the crisis, dispel rumors, and let students know that counseling is available. (See Appendix B, Staff Announcement).

NOTE: People have differing reactions to grief. One way for the teacher to encourage the students' expressions of grief is to acknowledge your own feelings immediately following the announcement of the crisis. If you are uncomfortable discussing grief, ask for assistance from the Crisis Team Leader.

STEP #3 – Teacher Response following the principal's announcement:

"I know it may be difficult for some of us to continue our work today, but our counselors have set aside a special time and place for discussion for those who are troubled by this loss.

Students who are feeling troubled by the death of _____ are encouraged to meet with the counseling staff at _____. (time and place)

Refer individual students who are obviously in need of immediate removal from class to the counselor's office (crying, obviously upset.) The teacher then continues to proceed with his/her usual routine for the day.

STEP #4 –Refer names and/or students themselves to the guidance office if they appear unusually upset or continue to appear upset as time passes. (See Appendix B).

STEP #5 – Attend the mandatory after school meeting to allow for expression of feelings and support, review the day's events, compile a list of "high risk" students and assess their individual needs. The Crisis Team members will be available to discuss concerns staff may have regarding any students.

STEP #6 – Sample staff response to visitors:

“We feel saddened by the sudden death of one of our (students) (staff members). We are concerned for our students and staff. Further questions are directed to the Superintendent’s office. This handout (See Appendix A) will explain the parameters.”

THE TEACHER’S ROLE Appendix C (cont.)

Following the death of a student/staff member, those left behind grieve in a variety of ways. The following information is intended to be a guide for assisting the students through the next few days and weeks as they resolve their feelings related to a death.

Normal grief is generally characterized by progression from an initial state of shock and denial, to one of rage and anger, to one of disorganization and despair, and finally to state the acceptance and hope.

In this particular situation many students may arrive at school already “buzzing” with news. Rumors may have already started before school convened, but there will also be many students who arrive with no knowledge of the deceased student’s/staff member’s death. Students may express disbelief or denial.

In the event of a suicide, other students will quickly move to being angry. They may want to blame anyone and everyone with the death – other friends, parents, police, teachers, the medical personnel, and finally, themselves.

Guilt will be a feeling many students may experience and want to discuss. In the aftermath of an adolescent death, many students may digress and retrace their last encounter with the person who has died and often blow out of proportion small fights that may have occurred which adds to their guilt.

The most important thing a staff member can do is to allow some opportunity for students to acknowledge and discuss their feelings. By acknowledging the pain and grief they are experiencing, and reassuring them of the normalcy of their feelings, you help them through the grief process.

The most helpful intervention a teacher can use is to encourage and allow for the expression of feelings related to death. For many students, this may be their first encounter with death. They will look to the staff member for guidance and modeling. To share with your students your own feelings when you were told of the death – your shock, your sadness, your confusion – is valuable. To reminisce about your relationship with the deceased, if you knew him/her is important. Share with students what you will remember about him/her.

Discuss possible feelings of guilt or feelings of responsibility. Let students know these feelings are normal. Reassure them that they are not responsible for what happened.

Ask students to be supportive of one another and to escort any friend who is upset to a teacher or the guidance office. Reassure them that many adults in the building are available to help them. Finally, encourage them to discuss their feelings with their parents.

An excellent way to help students through the grief process is to be an active listener. This technique encourages students to recognize the normalcy of their feelings. Another technique would be letting students write about their feelings and reaction to this event.

APPENDIX D GUIDANCE ROLE

The Guidance staff should take the responsibility of gathering information about student/staff reaction to the crisis and act as a "hub of information".

STEP #1

- A. Identify school staff who were close to the deceased student or staff member and who may need extra support (e.g., a teacher who had a special helping relationship with student, had the student in class, or has a sibling in class).

- B. Start a listing of "high risk" students in need of extra support. These include: close friends of the deceased student, relatives, students in the same activities or clubs as the deceased student, neighbors of the deceased student, students with other stressors (e.g., troubled youth and those who are quiet and withdrawn), students identified by faculty, students identified by other students, "suicidal" students with unresolved grief or loss (e.g. family member has committed suicide, divorce situation, recent moves), and students with "guilt" feelings.

STEP #2 – Guidance staff should briefly meet with all identified "high risk" students and with any students who are referred by staff. Decide what, if any, intervention is appropriate. Options could include: (a) brief supportive counseling with guidance staff and (b) forming a grief group. The grief group should automatically be formed the first day, and it may run all day. The focus is on memories of the deceased student and grief work.

STEP #3 – Identify absent and non-enrolled students who may be "at risk" and inform their parents of your concern.

- STEP #4 – For students who request to leave school because of their grief reaction:
- A. Release student to parent or adult designated by parent.
 - B. Let the student know that you expect him/her to return to school the next day.
 - C. Check to see if the students returns the next day and briefly check with them to see how he/she is doing. Offer your assistance to the parent and/or student.

STEP #5 – At the end of the first day, the crisis management team should meet to debrief and review the list of "high risk" students.

At the end of one week, review the status of "high risk" students on the list. Determine which students may need to be referred to community mental health services.

STEP #6 – Discuss the role the guidance staff will provide in the funeral and memorial service. Provide location for students to come following the funeral and/or memorial service.

After the funeral, assist the building staff in moving toward a “business as usual” atmosphere as soon as possible. (An announcement will be made by the principal regarding continued availability of guidance staff.)

STEP #7 – Carefully review with the principal and Crisis Management Team members the memorial requests for the deceased student.

APPENDIX E

ROLE OF SECRETARIAL STAFF

All building personnel are affected during a crisis or grief event. Therefore, it is important to inform secretarial staff of their role in dealing with this crisis.

STEP #1 – A secretarial staff representative should attend the mandatory staff meeting to be informed of the crisis and the plans for the day.

STEP #2 – Secretarial staff should review procedures for handling requests or calls from parents, news media, and others.

RESPONSE:

“Hello, Brandon Valley School District. How may I help you? Questions concerning _____ are referred to the superintendent’s office at 582-2049. Brandon Valley School District thanks you for your concern.”

****Make sure you know to whom you are talking. If call is concerning Crisis refer caller to Superintendent. If you are not sure how to handle a call or caller, refer to the principal.*

STEP #3 – The guidance (or appropriate) secretary should free guidance staff schedules for the day. Some counselors may direct the secretary to clear their schedules for several days, so they can best respond to the situation.

STEP #4 – Secretarial support staff should refer any students they are concerned about to the crisis management team leader.

APPENDIX F

HOW TO COMFORT THOSE WHO GRIEVE

1. *Be There:* attend the funeral, visit, and spend time with those grieving.
2. *Listen:* grieving people need to talk about this sudden vacuum in their lives.
3. *Send a note:* notes can share personal memories, short and simple.
4. *Give a gift:* a collection of poems, a book to the library in memory of the deceased.
5. *Extend an Invitation:* consider what the person likes to do. Eat out? Go to a play? Take a drive?

Bereaved people often decline invitations or cancel at the last minute.

Don't give up. Ask again.

GRIEF PROCESSING SUPPORT STRUCTURE

Some Ideas/Suggestions

1. Establish a "Drop-in Center" all day the first day that news of a sudden death is disseminated.
2. More than one counselor/facilitator ~~is~~ may be needed in the group at one time; it's also a good idea to have others available for relief purposes.
3. Focus on:
 - a. Memories, positive experiences with person who died
 - b. Feelings about the loss
 - c. Stages of grieving (grief education); students may bring up spirituality
 - d. Funeral services – appropriate behaviors/concerns about experience
 - e. Future – what next?
 - f. Guilt work if needed/some need to focus on causation
 - g. Family and friend's response (kids often wonder, "What can I do? How can I help?")
 - h. Identifying others that the students are concerned about (provides them with an opportunity to help, gives them a purpose in crisis, allows them to be part of a larger supportive community response.)

4. Avoid focusing on:
 - a. Narcissistic focus on suicidal thoughts, feelings, experiences, if the death was by suicide.
 - b. Constant talk about the actual death (morbid focusing)
 - c. Blame
5. Bring group to some closure the second day – avoid adding new members (may need to meet others on a one-to-one basis); probably will focus more on funeral and services.
6. May need to reconvene after funeral for an hour to refocus on grief/loss – bring group to some closure again and offer various **resources for on-going support**.
7. Remember throughout the course of group process, facilitators need to identify students with chronic problems around the issue of suicide/self-destructive behavior (regardless of the cause of the death) and to assess whether or not these students need to be separated from the group. If the students in question are identified as “chronic manipulative attempters” they must be removed from the group.
8. The counseling staff may want to consider the possibility of a “neighborhood group” in the evening to reach youngsters at all age levels (checking in with parent(s) to see if there is a need.)
9. Finally, we suggest viewing group work as a possibility for the **whole** system, K-12; death impacts the whole educational community, not just one branch.

(ADOPTION DATE: March 13, 1989)
(REVISION DATE: January 22, 1996)
(REVIEWED DATE: November 24, 2003)
(REVIEWED DATE: April 13, 2004)
(REVIEWED DATE: April 14, 2008)

AUTOMATED EXTERNAL DEFIBRILLATOR

An Automated External Defibrillator (AED) will be maintained on the premises of each school facility in the Brandon Valley School District. The AED shall be used in emergency situations warranting its use by individuals specially trained in the use of the device.

Sudden Cardiac Arrest (SCA) is a condition that occurs when the electrical impulses of the human heart malfunction causing a disturbance in the heart's electrical rhythm. This erratic and ineffective electrical rhythm causes complete cessation of the heart's normal functioning of pumping blood resulting in sudden death. The most effective treatment for this condition is the administration of an electrical current to the heart by a defibrillator, delivered within a short time.

An AED is used to treat victims who experience SCA. It is only to be applied to victims, who are unconscious, without pulse, signs of circulation, and normal breathing. The AED will analyze the heart rhythm and advise the operator if a shockable rhythm is detected. If a shockable rhythm is detected, the AED will charge to the appropriate energy level and advise the operator to deliver shock.

LOCATION, MAINTENANCE AND TESTING OF AED UNITS

The AED locations will be as follows:

- High School: across from the restrooms in the commons area
- Middle School: in the commons area on the north wall
- Robert Bennis Elementary: in the commons area between the gym doors
- Brandon Elementary: at the south entrance to the carpeted gym
- Valley Springs Elementary: By the south lower level entry doors
- Fred Assam Elementary: To be determined
- High School Athletic Shed at the Football/Track Stadium

Each AED shall be maintained and tested in accordance with operational guidelines of the manufacturer and monitored as directed by the Superintendent/designee.

Documentation of the maintenance and testing will be kept in the nurse's office in each building. The Medtronic Lifepak CR Plus Defibrillator User's Checklist will be utilized. If trouble shooting is required, use the accompanying Trouble Shooting Log.

TRAINING

- All Brandon Valley School District staff, coaches and administrators are eligible to complete an approved training course in the operation of AEDs. Staff members must be CPR certified and complete a refresher course as prescribed. The School District will offer annual retraining for personnel who have completed the initial AED program.

- Staff of co-curricular athletic activities will be required to attend the training course in the operation of the AED.
- The Activities Director is required to receive the AED training.
- It is highly recommended that staff who supervise after school activities also receive the training course on the operation of the AEDs.

ADOPTION DATE: October 25, 2004

REVISION DATE: August 25, 2008

WELLNESS POLICY

The Child Nutrition and WIC Reauthorization Act of 2004, PL 105-268, the U.S. Congress established a new requirement for all local agencies (including public and nonpublic, as well as, Residential Child Care Institutions) with a federally-funded National School Lunch Program (NSLP). The local agencies are required to develop and implement wellness policies that address nutrition and physical activity by the start of the 2006-07 school year. Four (4) criteria are required in meeting the objective; nutrition education, physical activity, nutrition standards and other school based activities.

The Brandon Valley School District promotes healthy schools by supporting wellness, good nutrition and regular physical activity as a part of the total learning environment. The District supports a healthy environment where students learn and participate in positive dietary and lifestyle practices. By facilitating learning through the support and promotion of good nutrition and physical activity, schools contribute to the basic health status of students. Improved health optimizes student performance potential and ensures that no child is left behind.

- The school district will engage a committee composed of students, parents, teachers, administrators, food service professionals, health professionals, and other interested community members in developing, implementing, monitoring and reviewing district-wide nutrition and physical activity goals.
- All students in grades K-12 will have opportunities, support, and encouragement to be physically active on a regular basis.
- Food and beverages sold or served during regular school day hours will meet the nutrition recommendations of the NSLP.
- Qualified child nutrition professionals will provide students with access to a variety of affordable, nutritious, and appealing foods that will meet the health and nutrition needs of students; will accommodate the religious, ethnic and cultural diversity of the student body in meal planning; and will provide clean, safe and pleasant settings with adequate time for students to eat.
- To the maximum extent possible, the district will participate in available federal school meal programs.
- Schools will provide nutrition education and physical education to foster lifelong habits of healthy eating and physical activity and will establish

linkages between health education and school meal programs, and with related community services and other school based activities.

The Child Nutrition/Wellness Committee will develop, implement, monitor, review and as necessary, revise school nutrition and physical activity programs. To help with the initial development of the district's wellness policy, each school in the district will conduct a baseline assessment of the school's existing nutrition and physical activity environments and policies. Assessments will be repeated every year to review policy compliance, assess progress, and determine areas in need of improvement.

As part of that review, the Wellness Committee will review nutrition standards with education goals; physical activity and education goals; and evaluate the provision of the environment to support healthy eating and physical activity.

ADOPTION DATE: June 26, 2006

REVIEWED DATE: April 14, 2008

STUDENT CONDUCT

Students attending district schools are expected to act in such a fashion that their behavior will reflect favorably on the individual student and on the school, will show consideration for fellow students, and will create a harmonious school atmosphere. To accomplish this, all students must recognize their individual responsibilities and obligations and discharge them in accordance with the school regulations.

Any of the following actions or similar behavior will subject a student to suspension, expulsion, or other school disciplinary measure.

1. Intentionally causing or attempting to cause substantial damage to school property, or stealing or attempting to steal school property;
2. Intentionally causing or attempting to cause substantial damage to private property, stealing or attempting to steal private property;
3. Intentionally causing or attempting to cause physical injury to another person except in self-defense;
4. Knowingly possessing or transporting any firearm, knife, explosive or other dangerous object except as allowed by law;
5. Knowingly possessing, using, transmitting or being under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage or intoxicant of any kind pursuant to a valid prescription which has been provided to the school;
6. Knowingly using or copying the academic work of another and presenting it as his own without proper attribution;
7. Repeatedly and intentionally defying the valid authority of supervisors, teachers or administrators, and/or causing interruption of the school program;
8. Using a substance or device to communicate a terroristic threat;
9. Using a hoax substance or device to cause fear of a terroristic act;
10. Falsely reporting a threat.

The above-prohibited actions will be printed in the Brandon Valley Student Handbook or other publications made available to students and parents.

In addition to school disciplinary measures some of the above actions are subject to punishment through civic authorities.

School building administrators will not recommend a student for suspension or expulsion, except as the student has engaged in one of prohibited actions mentioned above or other acts of misconduct while on school property or taking part in a school activity off school grounds.

(ADOPTION DATE: February 28, 1983)
(REVISION DATE: February 24, 1997)
(REVISION DATE: September 27, 2004)
(REVISION DATE: May 12, 2008)

CROSS REF.: ECAB Vandalism
JG Student Discipline & Sub Codes (all relate to student discipline)

REF.: Brandon Valley Student Handbook

STUDENT DRESS CODE

The Board recognizes that it is the prerogative of parents to determine what is appropriate dress and grooming for their children in accordance with the age and grade of these students. It is hoped that decision made by parents and students in these matters will reflect favorably upon the individual, the school, and the community.

There are certain restrictions necessary on the student's dress and grooming when such dress and grooming create a health or safety hazard, invade the rights of others, or is disruptive to the educational environment by detracting from the decency and decorum in school. It will be the responsibility of the building principal to determine violations of the intent to this policy and to take necessary corrective action.

For a detailed requirement of the Dress Code, refer to the Brandon Valley Student Handbook.

(ADOPTION DATE: February 28, 1983)
(REVISION DATE: September 27, 2004)
(REVIEWED DATE: April 14, 2008)

REF.: Brandon Valley Student Handbook

STUDENT CONDUCT ON SCHOOL BUSES/SCHOOL VEHICLES

When a student is riding, boarding, or leaving the bus, the bus driver has the supervisory control over the student and may exercise reasonable and necessary physical force to maintain that control.

A school bus/vehicle is an extension of the classroom; therefore, the Board will require students to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. Brandon Valley's fleet of buses is equipped with video cameras to record activity on the bus.

The school bus driver shall enforce all school regulations governing the conduct of students from the time the students enter the bus until they disembark from the bus.

In cases when a student does not conduct himself properly on a bus, the bus driver will bring such instances to the attention of the transportation director. The transportation supervisor, operations manager or principal will inform the parents of the misconduct and request their cooperation in checking the student's behavior.

Students who become a serious disciplinary problem on the school bus may have their riding privileges suspended by the district operations manager or superintendent. In such situations, the parents (or the student involved) become responsible for making arrangements for students to travel to and from school safely.

(ADOPTION DATE: April 2, 1982)
(REVISION DATE: November 11, 1991)
(REVISION DATE: March 13, 1995)
(REVISION DATE: March 27, 2000)
(REVISION DATE: May 24, 2004)
(REVIEWED DATE: April 14, 2008)

STUDENT CONDUCT ON SCHOOL BUSES/VEHICLES

School transportation is provided for those students whose distance from school or health make this service essential. Misconduct on buses will not be tolerated and will result in forfeiture of the privileges of riding.

The bus driver is an official representative of the school and has full authority to discipline students on the bus. It is the duty of each student who rides the bus to do his/her part to keep the buses in good condition and to abide by the stated rules. To promote safety and to improve discipline, the district has installed video/audio-monitoring systems in the bus fleet.

Violation of these rules could mean a reprimand or cancellation of bus privileges on all buses. If a student is removed from a bus, that student will have to obtain other means of transportation at no expense to the school district.

Student shall:

1. Follow directions from the driver;
2. Arrive at the bus stop before the bus arrives;
3. Wait in a safe place, clear of traffic and away from where the bus stops;
4. Wait in an orderly line and avoid horseplay;
5. Cross the road or street 10 feet in front of the bus only after the bus has come to a complete stop and upon direction of the driver;
6. Go directly to an available or assigned seat when entering the bus;
7. Remain seated and keep aisles and exits clear;
8. Exhibit classroom conduct at all times;
9. Refrain from throwing or passing objects on, from, or into buses;
10. Be permitted to carry only objects that can be held on his/her lap;
11. Refrain from the use of profane language, obscene gestures, tobacco, alcohol, drugs or any other controlled substance on the bus;

12. Refrain from eating, drinking and chewing gum on the bus;
13. Not carry hazardous materials, nuisance items and animals onto the bus;
14. Respect the rights and safety of others;
15. Not bother the driver. The bus driver is responsible for the safety and welfare of the students in the bus/school vehicle and shall never be bothered or distracted in any way which will interfere with responsible, safe driving;
16. Be quiet at railroad crossings. All school buses/school vehicles must stop for railroad crossings as a matter of safety as well as law;
17. Refrain from extending head, arms or objects out of the bus windows;
18. Refrain from hitching rides via the rear bumper or other parts of the bus;
19. In the event of road emergency, students are to remain in their seats, unless otherwise directed by the bus driver;
20. Refrain from leaving or boarding the bus at locations other than the assigned stops at home or school;
21. Obtain school permission for friends to ride. Non-bus pupils will not be allowed to ride on a bus without administrative permission.
22. The use of electronic devices, including cell phones, is permitted but shall not be used in a manner distracting to the driver. The driver determines what is distracting to his/her ability to safely transport students.

INFRACTIONS IN BUS CONDUCT WILL RESULT IN THE FOLLOWING ADMINISTRATIVE ACTION

- A. **First Infraction.** The completion of the Bus Conduct Report will be considered the first infraction of the student rules for conduct on the bus. The Transportation Director will discuss the violation and review the rules with the student. The student will be notified. A copy of the Bus Conduct Report will be sent to the parent/guardian. The situation will be explained to the Parent/guardian and they will be asked to help the student improve his/her conduct on the bus. Kindergarten or younger students will be given two opportunities at this level before proceeding to the "second infraction" below.
- B. **Second Infraction.** The second Bus Conduct Report that is completed will result in the student being suspended from all buses for two (2) school days. The Transportation Director will talk with the student.

- The parent/guardian will be notified of the suspension prior to the suspension and a copy of the report will be sent to them.
- C. **Third Infraction.** Upon the completion of a third Bus Conduct Report, the student will be suspended from all buses for five (5) school days. The Transportation Director will talk to the student and will be notified of the suspension. The parent/guardian will be notified of the suspension prior to the suspension and a copy of the report will be sent to them.
 - D. **Fourth Infraction.** Upon the completion of the fourth Bus Conduct Report, the student will be suspended from all buses for ten (10) school days. The Transportation Director will talk to the student and will be notified of the suspension. The parent/guardian will be notified of the suspension prior to the suspension and a copy of the Report will be sent to them.
 - E. **Fifth Infraction.** Upon completion of the fifth Bus Conduct Report, the student will be suspended from all buses for the remainder of the school year. The Transportation Director will talk to the student and will be notified of the suspension. The parent/guardian will be notified of the suspension prior to the suspension and a copy of the Report will be sent to them.

THE FOLLOWING INFRACTIONS MAY RESULT IN THE IMMEDIATE REVOKING OF A STUDENT'S BUS RIDING PRIVILEGE

1. **Fighting:** Physical violence in an angry or quarrelsome manner with intent to harm another person or to disrupt the process of education while on school property, including parking lot and school buses.
2. **Insubordination:** Refusing to obey; failure to follow instruction or directions of a staff member; defiance; rebelliousness; or lack of cooperation.
3. **Profanity:** Swearing, use of obscene, threatening or flagrantly disrespectful oral or written language, gestures.
4. **Intimidation:** Threatening attitude and/or sexual harassment of students and teacher/driver.
5. **Destruction or Vandalism of the Bus:** any act relating to the marring, cutting, tearing, breakage or other acts of general destruction of the bus.
6. **Weapons:** Any object designed to inflict harm is prohibited or any use of any object as a weapon with the intent to threaten or cause physical harm.

(ADOPTION DATE: April 12, 1982)

(REVISION DATE: November 11, 1991)

(REVISION DATE: March 27, 2000)

(REVISION DATE: May 24, 2004)

(REVISION DATE: May 27, 2008)

HAZING

It is the policy of the Board of Education and school district that hazing activities of any type are inconsistent with the educational process and will be prohibited at all times. Hazing is defined as:

Doing any act or coercing another, including the victim, to do any act of initiation to any student or other organization that causes or creates a substantial risk of causing mental or physical harm to any person. Permission, consent, or assumption of risk by an individual subjected to hazing does not lessen the prohibition contained in this policy.

No administrator, faculty member, or other employee of the school district will encourage, permit, condone, or tolerate hazing activities. No student, including leaders of student organization, will plan, encourage, or engage in any hazing.

Administrators, faculty members, and all other employees of the school district will be particularly alert to possible situations, circumstances of events which might include hazing. If hazing or planned hazing is discovered, involved students will be informed by the discovering school employee of the prohibition contained in this policy and will be required to end all hazing activities immediately. All hazing incidents will be reported immediately to the building administrator or designee.

Administrators, faculty members, students, and all other employees who fail to abide by this policy may be subject to disciplinary actions, and may be liable for civil and criminal penalties in accordance with state law.

(ADOPTION DATE: March 24, 1997)

(REVIEWED DATE: April 14, 2008)

LEGAL REF.: SDCL 13-8-39, 13-32-1, 13-32-2, 13-32-4, 13-32-5
South Dakota Executive Order 81-08
Federal Title XI (1972 Education Amendments)

SMOKING BY STUDENTS

The Board prohibits smoking in the schools or on the school grounds during the school day and at any school function.

Refer to the student handbook.

(ADOPTION DATE: February 28, 1983)

(REVISION DATE: January 22, 1996)

(REVISION DATE: September 27, 2004)

(REVIEWED DATE: April 14, 2008)

REF.: Brandon Valley Student Handbook-Smoking.

ALCOHOL AND OTHER DRUG USE BY STUDENTS

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

A student shall not possess, use, distribute, transfer, conceal, sell, attempt to sell, deliver, nor be under the influence of alcohol and/or other illegal drugs and paraphernalia that affect the educational process of the school. If the offense involves an illegal controlled substance or marijuana, refer to policy JFCI Student Drug Abuse. Students who use prescription drugs authorized by a licensed physician do not violate this policy.

Drug Detection Canines (Drug Dogs)

At the discretion of the school superintendent, a search of school buildings/grounds by drug detection canines (drug dogs) will be scheduled. The date of the search itself will not be announced. Building principals will be present during any scheduled search. A limited number of other staff and faculty (i.e. guidance counselors and drug and alcohol counselors) may be present during the search, at the discretion of the building principal. Also, the handler of the drug dog can limit the number of persons in attendance to ensure the professionalism of the search and to protect potential evidence.

Representatives of the media will not be present during the drug dog searches. During the search itself, students will not be present in the immediate areas of the search. The handler of the drug dog (SD Highway Patrol officer or local police) will conduct a "pre-search" of the area prior to introducing the drug dog to that area. During a search, the drug dog may alert to a particular locker or vehicle. At the discretion of the Highway Patrol or police officer, that locker will be secured and searched immediately by the law enforcement officers. If illegal drugs are found, the South Dakota law enforcement officers will seek out and question the user(s) of the locker. When the identity of the person possessing the illegal drugs is established, an arrest will be made immediately. If illegal drugs are not found in a locker to which the drug dog has alerted, the identification of that locker will be disclosed to the school principal or counselor. The Administration and/or counselor will contact the parents of the identified student to make the parent aware that the drug dog did alert on their student's locker. This will be done in a confidential manner, not to call attention to the student.

Disciplinary Sanctions and Implementation Procedures

The following procedures will be used in dealing with violation of the policy:

A. First Offense (other than distribution)

1. The administration will try to notify the parent(s)/guardian(s) by phone to explain the incident and arrange a conference;
2. The administration may suspend the student up to ten (10) days in compliance with student due process procedures;
3. The administration will notify the parent(s)/guardian(s) in writing of the suspension within thirty-six (36) hours; and
4. The administration shall notify available law enforcement authorities.
5. State and federal regulations regarding special education students will be followed.

If requested by parents/guardians or student, the school district will provide assessment for students with alcohol and other drug abuse problems. Early intervention may benefit the student before significant harm or dependency results.

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

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

A. Second and Subsequent Offenses (other than distribution)

1. The administration will contact the parent(s)/guardian(s) to arrange for a conference.
2. The administration may notify available law enforcement authorities.
3. The administration may suspend for up to ten (10) days in compliance with student due process procedures
4. Within thirty-six (36) hours, the administration will notify the parent(s)/guardian(s) in writing of the suspension.
5. The administration will recommend to the school board that the student be expelled unless the following procedure is followed:
 - a. The student must agree to be assessed by a trained chemical dependency counselor or a licensed physician trained in chemical dependency at his or her own expense.
 - b. Upon appropriate authorization, the agency or professional notifies the administration that the student has been assessed

and does or does not require treatment. If the student accepts the need for treatment, the recommendation for expulsion may be commuted. Fees for this assessment and/or treatment are the responsibility of the student and family.

- B. Supplying/Distributing or Selling Alcohol and Other Drugs or Material Represented to be a Controlled Substances (all occurrences)
 - 1. Within thirty-six (36) hours, the administration will notify parent(s)/guardian(s) in writing of the suspension.
 - 2. Supplying or selling controlled substances may result in a ten (10) days suspension.
 - 3. The administration will refer the case to available law enforcement authorities.
 - 4. A hearing on the case will be conducted by the school board pursuant to due process rules for expulsion. Expulsion may be recommended by the administration.
- C. Pupils whose observed behavior indicates possible use of alcohol and/or other drugs will be referred to the building administrator and/or "first-responder" medical personnel, who will determine whether to contact the parent for further instruction, refer to the emergency authorization form or immediately seek additional medical treatment. Following the handling of the medical emergency, the Policy Statement for Alcohol and/or Other Drug Abuse will be followed.

Use of Passive Alcohol Sensor (PAS)

A device known as a Passive Alcohol Sensor (PAS) may be used to check for breath alcohol and can be used with or without a subject's direct participation. When used without direct participation, it is known as passive breath sampling as opposed to active testing when the subject blows directly into a mouthpiece or the intake port. There may be times when the PAS can be used passively i.e., as it can detect alcohol in open containers or in enclosed spaces such as rooms, lockers, etc. There will be no variance from the normal course of action when faced with the question of possible consumption. All due process precaution will continue to be in place.

ADOPTION DATE: February 28, 1983)
(REVISION DATE: October 10, 1994)
(REVISION DATE: June 25, 1996)
(REVISION DATE: August 25, 1997)
(REVISION DATE: January 25, 1999)
(REVISION DATE: September 27, 2004)
(REVISION DATE: May 12, 2008)

CROSS REF.: JFCI Student Drug Abuse
Brandon Valley Student Handbook-Drinking/Drugs

STUDENT DRUG ABUSE

The Board recognizes its share of the responsibility for the health, welfare, and good of the students who attend the district's schools. The Board is concerned about the community problem of drug abuse and further recognizes that the use of narcotic drugs, depressants, and other controlled substances illegally and /or inappropriately constitutes a hazard to the positive development of students.

Therefore, the district's policy on drugs requires:

1. The education of students to bring about awareness and understanding of the dangers inherent in the use of controlled drugs.
2. The provision in each school of counseling services that will make it possible for drug-troubled students to seek and get counseling any time without fear of reprisal and with assurance of the confidentiality of the counseling.
3. Emergency health and safety care which may be in order for students under the active influence of drugs at school or in connection with any school activity.
4. Close cooperation by school officials with parents or guardians of students seriously suspected or reliably reported to be illegally involved with controlled drugs. This requires that parents be notified and conferences with them arranged when suspicion of drug abuse in any form (use, possession, or distribution) is sufficiently founded. This is intended as a time when school officials may work with parents or guardians without involving law enforcement agencies and without taking disciplinary action.
5. The prohibition of the use, possession, or distribution of illegal drugs on school property or in connection with any school activity. Violation of this provision must be reported to the proper law enforcement agency and is cause for suspension from school.
6. Any person caught in the possession, use or distribution of controlled substance or marijuana will be restricted from participation in extra-curricular activities as sanctions by the SDHSAA for one year. A second offense will result in permanent ineligibility from extra-curricular activities sanctioned by the SDHSAA.

The superintendent will be responsible for developing legally sound procedures for implementation of this policy.

(ADOPTION DATE: August 25, 1997)
(REVISION DATE: September 27, 2004)
{REVISION DATE: May 12, 2008)

DANGEROUS WEAPONS IN THE SCHOOL

Schools should be an example of what is required regarding the observance and respect for law in society at large. Schools also must be highly conscious of the health, safety, and welfare of students, staff, and the public.

State and federal laws as well as board policy forbids the possession of dangerous or illegal weapons to school or school sponsored activities. Any weapon taken from a student shall be reported to the student's parents. Confiscation of weapons may be reported to the police. Appropriate disciplinary or legal action or both shall be pursued by the building principal.

A dangerous weapon is defined as any firearm, or air gun, knife or device, instrument or material or substance, whether animate or inanimate, which is calculated or designed to inflict death or serious bodily harm.

No firearms are permitted on any school premise or school vehicle or any vehicle used for school purposes, in any school building or other building or premises used for school functions. An exception would be weapons under the control of law enforcement personnel, starting guns while in use at athletic events, firearms or air guns at fire ranges, gun shows, and authorized supervised school training sessions for the use of firearms.

Any student bringing a firearm to school shall be expelled for not less than twelve months and will be referred to law enforcement authorities. The superintendent shall have the authority to recommend to the school board that this expulsion requirement be modified on a case-by-case basis. This policy shall be implemented in a manner consistent with IDEA and Section 504. For the purpose of this portion of this policy, the term "firearms" includes any weapon which is designed to expel a projectile by action of an explosive, the frame or receive of any such weapon, a muffler or silencer for a weapon, or any explosive, including any poison gas.

(ADOPTION DATE: October 28, 1991)
(REVISION DATE: March 27, 1995)
(REVISION DATE: September 27, 2004)

USE OF PERSONAL ELECTRONIC DEVICES AND CELL PHONES AT SCHOOL

Electronic devices utilizing radio frequencies resulting in wireless communication include, but are not limited to, cellular/digital phones, pagers, personal data assistants (PDA), laptop computers with cellular/phone capability and two-way radios.

Instructional use of wireless communications devices shall be determined in accordance with the educational needs of students. Students with specific educational concerns or disabilities will be allowed the use of wireless communication according to their individual educational plan or 504.

Students may possess or use personal electronic signaling devices cellular/digital phones on school property with the following guidelines.

1. Cellular/digital phones shall be turned off or rendered incapable of activation during the regular school day unless preauthorized by the building Administrator.
2. Digital images or taking inappropriate photographs of any kind are prohibited to ensure the privacy of others.
3. Cell phones must be stored in a student's locker or car during the school day. They are not to be carried on a student's body, in a book bag, or a purse.

Students who violate district or school rules and regulations may be subject to discipline, including, but not limited to, detention, Saturday School points, suspension, and expulsion. If a violation does occur, the device will be confiscated.

Students shall be personally and solely responsible for the security of their electronic devices. The Brandon Valley School District 49-2 shall not assume responsibility for theft, loss or damage to any cell/digital phone or any other personal wireless communication device.

When the conduct involves intimidation, harassment, or other endangerment of a student or employee, the administration or designee shall provide appropriate assistance as necessary for the victim and the offender and/or make appropriate referrals for such assistance.

ADOPTION DATE: May 8, 2006

REVISION DATE: May 12, 2008

PREGNANT/MARRIED STUDENTS

Marital, maternal, or paternal status shall not affect the rights and privileges of students to receive a public education nor to take part in any extracurricular activity offered by the school district. Pregnant students will continue in school in all instances when continued attendance has the sanction of the expectant mother's physician. The physician's approval of this continued attendance must be on file at the school. The school administration is authorized to make special arrangements for the instruction of pregnant students and to provide an educational program designed to meet their special needs.

(ADOPTION DATE: February 28, 1983)

(REVISION DATE: October 10, 1994)

(REVISION DATE: September 27, 2004)

(REVIEWED DATE: April 14, 2008)

REF.: Brandon Valley Student Handbook, Married Students and Pregnant Students

INTERROGATIONS AND SEARCHES

Searches by Staff

The right of inspection of students' school lockers is inherent in the authority granted school boards and administrators. This authority may be exercised as needed in the interest of safeguarding students, and their own and school property.

Nevertheless, exercise of that authority by school officials places unusual demands on their judgment so as to protect each student's constitutional rights to personal privacy and protection from coercion and to act in the best interest of all students and the schools.

The following rules apply to the search of school property assigned to a specific student (locker, desk, etc.), and the seizure of items in his/her possession:

1. There should be reasonable suspicion for school authorities to believe that articles are kept in the locker, desk, or other storage space the possession of which constitutes a crime or rule violation.
2. Search of an area assigned to a student should be for specifically identified item or class of items.
3. General housekeeping inspection of school property may be conducted.
4. Illegal items (drugs, weapons, etc.) or other possessions reasonably determined to be a threat to the safety or security of others may be seized by school authorities at any time.

Searches of Student Property by Police

A proper search warrant is required for any search of a student's personal property kept on school premises; however, if the police have reason to believe any item that might pose an immediate threat to the safety or security of others is kept in a student locker, desk or other storage space, searches may be conducted without a previously issued warrant.

Interrogations by Police

The school district has legal custody of students during the school day and

during hours of approved extracurricular activities. It is the responsibility of the school administration to make an effort to protect each student's rights with respect to interrogations by law enforcement officials. Therefore:

1. When law enforcement officials find it necessary to question students during the school day or periods of extracurricular activities, the student is entitled to have an attorney or parent or legal guardian present.
2. If custody and/or arrest is involved, the principal will request that all procedural safeguards as prescribed by law, be observed by the law enforcement officials.

(ADOPTION DATE: February 28, 1983)
(REVIEWED DATE: September 27, 2004)
(REVISION DATE: May 12, 2008)

CROSS REF.: JFA, Student Due Process Rights

STUDENT COMPLAINT AND GRIEVANCE

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

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

1. Any student or his parents or guardian will be provided the opportunity to discuss with the student's teacher a decision or situation which they consider unjust or unfair.
2. If the incident remains unresolved, the student or his parents or guardian or the teacher, may bring the matter to the principal's attention for his consideration and action.
3. The student may also bring a matter of general student concern to the attention of class officers or the student council (in grades and schools where such are elected) for possible presentation to the principal.
4. If the matter is still unresolved after the procedure outlined above, it may be brought to the superintendent for his consideration.
5. Complaints that remain unresolved following any action of the superintendent may be referred in writing to the Board for review.

The Board's decision will be final unless appealed to Circuit Court.

(ADOPTION DATE: February 28, 1983)
(REVIEWED DATE: September 27, 2004)
(REVISION DATE: May 12, 2008)

STUDENT DISCIPLINE

Staff and students share responsibility for maintaining a climate in which education can be pursued. What is best for the individual must be balanced with what is most desirable for the entire school population.

The following principles will be observed by the school staff in maintaining student control and discipline in the schools:

1. It is believed that most individuals modify behavior more quickly under praise than under blame. Therefore the general approach to discipline will be a positive one. This will include attempting to identify the social, emotional and academic problems that underlie a student's poor attitude or misconduct, and striving to meet their social, emotional and academic needs.
2. Every individual needs to feel worthy and accepted as a person. In criticizing students for their conduct or attitude and in taking disciplinary action, teachers and other staff member will endeavor to show them that it is their behavior that is objectionable, not the student himself.
3. The best discipline is self-discipline. Modes of student control over classroom management will offer students the freedom to acquire self-control and self-discipline. This freedom will be extended in keeping with the student's maturity.

Within the above guidelines and specific policies regulating conduct and disciplinary actions, the superintendent or designee will be responsible for setting up procedures for dealing with disciplinary problems as outlined in the Brandon Valley Student Handbook.

The Board extends to all of its school employees, professional support, and authority to enforce policy and regulations governing student behavior. Students will comply with the directions given them by staff members.

(ADOPTION DATE: February 28, 1983)

(REVISION DATE: February 24, 1997)

(REVISION DATE: November 9, 2004)

(REVIEWED DATE: April 14, 2008)

CROSS REF.: JFC Student Conduct
JG Sub-codes (all relate to student discipline)
Brandon Valley Student Handbook

PROHIBITION OF CORPORAL PUNISHMENT

The use of corporal punishment, defined as any act of physical force on a student for the purpose of punishment is not acceptable in the district and will not be tolerated as a disciplinary measure. The term will not apply, however, to the use of reasonable physical force in the following situations:

1. Self-defense
2. To protect other persons from physical injury
3. To protect property of the schools or others
4. To remove a student who has refused to comply with requests to refrain from disruptive behavior
5. To restrain or control a student that is out of control

By law, physical force may be used by the superintendent, principal, supervisor, and teachers and their aids and assistants. This authority extends to any person delegated to supervise students who are authorized to attend a school function away from school premises and to school bus drivers.

Any employee using physical force to control a student will document the incident in writing, with copies given to the principal by the close of the following school day. The superintendent will keep the Board apprised of unusual or extreme incidents of the use of physical force.

(ADOPTION DATE:	February 28, 1983)
(REVISION DATE:	October 28, 1991)
(REVISION DATE:	February 24, 1997)
(REVISION DATE:	November 9, 2004)
{REVIEWED DATE:	April 14, 2008)

STUDENT SUSPENSION/EXPULSION

Serious breaches of standards of behavior may result in suspension or expulsion from school. By law, the Board has the authority to suspend or expel students beyond ten days for violation of school rules or policies or for insubordination or misconduct. The principals are authorized to suspend students for not more than ten school days and by the superintendent of schools for not more than 90 days. The period of expulsion may extend beyond the semester in which the violation, subordination, or misconduct occurred. Any expulsion for consumption or possession of beer or alcoholic beverages may not extend beyond ninety days.

Any student bringing firearms to school may be expelled for twelve months and will be referred to law enforcement authorities. The superintendent will have the authority to recommend to the school board that this expulsion requirement be modified on a case-by-case basis. For this purpose of this portion of this policy, the term "firearm" includes any weapon which is designed to expel a projectile by action of an explosive, the frame or receiver of any such weapon, a muffler or silencer for a weapon, or any explosive, including any poison gas.

Generally, a suspension may be imposed when a student's behavior creates a threat to his own or other's safety or imposes a threat to property or premises. Behavior such as fighting or committing an assault on another; stealing; vandalism; possessing weapons, explosives or other prohibited materials; making false alarms or bomb threats; lewd or threatening behavior or language; or possession of beer or alcoholic beverages on the school premises or at school activities may result in suspensions.

Students who are guilty of continued serious misconduct which results in repeated suspension and who therefore interfere with the opportunity of other students to carry on their learning activities may be recommended to the Board for expulsion from school.

This policy will be implemented in a manner consistent with IDEA and Section 504.

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

(ADOPTION DATE: February 28, 1983)

(REVISION DATE: March 27, 1995)

(REVISION DATE: January 22, 1996)

(REVISION DATE: November 9, 2004)

(REVIEWED DATE: April 14, 2008)

CROSS REFS.: JFA, Student Due Process Rights
JFC, Student Conduct

NOTICE OF HEARING

Proposed Long-Term Suspension or Expulsion from School

TO: (Parent/Guardian)

Information has been presented to me indicating that _____ may be guilty of sufficiently serious violations of the policies, rules and regulations of this school district to require the school board to consider either a long-term suspension or expulsion from school according to procedures adopted by the school district, pursuant to SDCL 13-32-4.

Specifically, the above named student is charged with violations of the Standard of Guidelines K-12, Brandon Valley School Policies on Behavioral Standards as follows:

Preliminary evidence and statements thus far indicate that specifically the above named student is in violation of the above policies.

The specific penalty being recommended to the school board is:

A hearing before the school board of School District #49-2 of Brandon, South Dakota has been set for the following time and place for the purpose of affording a full discussion of the charges and allowing the student or his parent or representative to refute those charges.

Date and time of the hearing:

Location of the hearing:

The student, his parent, guardian or representative may see a statement of the charges and supporting statements in the office of the Superintendent of Schools or his designee on or after _____. Statements supporting the student's case must be in the hand of the Superintendent or his designee, 24 hours before the hearing begins.

If the student, his parent, guardian or representative wishes to waive the hearing and accept the recommended penalty as stated in this notice the enclosed waiver must be returned to the Office of the Superintendent within 24 hours of receipt of this notice. If such waiver is not received, the hearing will be held as scheduled herein. Enclosed is a copy of SDCL 13-32-4 and the hearing procedures of the Brandon Valley School District #49-2 of Brandon, South Dakota.

Superintendent of Schools

Enclosures

cc: School board members
Student files

(ADOPTION DATE: February 28, 1983)
(REVISION DATE: February 10, 1997)
(REVISION DATE: November 9, 2004)
(REVIEWED DATE: April 14, 2008)

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South Dakota Codified Laws (SDCL) 13-32-4

13-32-4.13-32-4.SCHOOL BOARD TO ASSIST IN DISCIPLINE – SUSPENSION AND EXPULSION OF PUPILS – HEARINGS – ALTERNATIVE SETTINGS. The school board of every school district shall assist and cooperate with the administration and teachers in the government and discipline of the schools. The board may suspend or expel from school any student for violation of rules or policies or for insubordination or misconduct, and the superintendent or principal in charge of the school may temporarily suspend any student in accordance with SDCL 13-32-4.2. The rules or policies may include prohibiting the following:

1. The consumption or possession of beer or alcoholic beverages on the school premises or at school activities
2. The use or possession of a controlled substance, without a valid prescription, on the school premises or at school activities
3. The use or possession of a firearm, as provided in SDCL 13-32-7, on or in any premises, vehicle, or building used or leased for elementary or secondary school function or activities

The period of expulsion may extend beyond the semester in which the violation, insubordination, or misconduct occurred. Any expulsion for consumption or possession of beer or alcoholic beverages may not extend beyond ninety school days. If a student has intentionally brought a firearm onto school premises, the expulsion may not be for less than twelve months.

However, the superintendent or chief administering officer of each local school district or system may increase or decrease the length of a firearm-related expulsion on a case-by-case basis. The South Dakota Board of Education shall promulgate rules pursuant to chapter 1-26 to establish administrative due process procedures for the protection of a student's rights. The administrative due process procedures shall include a requirement that the school give notice of a student's due process rights to the parent or guardian of the student at the time of suspension or expulsion. Each school district board shall provide a procedural due process hearing, if requested, for a student in accordance with such rules if the suspension or expulsion of the student extends into the eleventh school day.

This section does not preclude other forms of discipline which may include suspension or expulsion from a class or activity.

This section does not prohibit a local school district from providing education services to an expelled student in an alternative setting.

(ADOPTION DATE:	February 28, 1983)
(REVISION DATE:	February 10, 1997)
(REVISION DATE:	November 9, 2004)
(REVIEWED DATE:	April 28, 2008)

BRANDON VALLEY SCHOOLS

HEARING PROCEDURES

The purpose of this hearing is to consider the recommendations for suspension or expulsion of: _____ .

The Board of Education requests that the hearing be closed.

The hearing procedures will be as follows:

1. Pertinent information regarding the incident will be presented to the Board of Education by school personnel.
2. Board members may ask questions or solicit additional information.
3. Comments related to the incident may be made by student and/or his representative.
4. Board members may ask questions or solicit additional information.
5. Summary statement: School representative.
6. Summary statement: Student and/or representative.
7. Board will go into executive session to consider recommendation for suspension or expulsion.

(ADOPTION DATE: February 28, 1983)

(REVIEWED DATE: November 9, 2004)

(REVIEWED DATE: April 28, 2008)

BRANDON VALLEY SCHOOL DISTRICT #49-2
WAIVER OF HEARING FORM

-

DATE:

Superintendent of Schools
District #49-2

RE: Waiver of Hearing

I certify that I am the parent/guardian of _____
and that I have received the following items from you:

- (a) Notice of hearing on proposed long-term suspension or expulsion from school of above named student.
- (b) A copy of SDCL 13-32-4; and
- (c) The Hearing Procedures of School District #49-2 of Brandon, South Dakota.

I request that the hearing specified in the Hearing Notice be waived, with the understanding that by so waiving the hearing, the recommended penalty will automatically become effective upon action of the School Board of this school district.

Signature of Parent/Guardian

Address:

NOTE: If student is 18 years of age or older, he may sign above in lieu of parent or guardian.
(ADOPTION DATE: February 28, 1983)
(REVISION DATE: November 9, 2004)
(REVIEWED DATE: April 28, 2008)

OPENING STATEMENTS BY BOARD PRESIDENT

This is the time and place set for the hearing to consider the recommendation for suspension or expulsion of _____.
(Student's name)

The request for the hearing was made by Superintendent _____
on _____ and received by the School Board on _____.
(Date) (Date)

The Notice of Hearing was sent to _____ by
(Parent/Guardian)
certified mail on _____.
(Date)

Such Notice of Hearing specified that a hearing would be held in the
Administrative Conference Room beginning at _____
(Time)
on _____.
(Date)

This hearing is being conducted under the provisions of the SDCL 13-32-4.

(Let the records show the following people were present at this hearing.)

The Brandon Valley Board of Education requests that this hearing be closed. Therefore, only school board members, administrators, teachers, the student involved, and his parents or representative will be allowed at the hearing. All others will be excused.

The hearing procedure that will be followed by the Board of Education is as follows:

WITNESS OATH

DO YOU SOLEMNLY SWEAR THAT THE EVIDENCE YOU SHALL GIVE RELATIVE
TO THE MATTER IN DIFFERENCE NOW IN HEARING, SHALL BE THE TRUTH,
THE WHOLE TRUTH AND NOTHING BUT THE TRUTH, SO HELP YOU, GOD?

(ADOPTION DATE: February 28, 1983)

(REVISION DATE: November 9, 2004)

(REVIEWED DATE: April 28, 2008)

STUDENT SUSPENSION/EXPULSION

FINDING OF FACT

In the matter of the Proposed
Expulsion (Suspension) or _____ DECISION

THE ABOVE ENTITLED MATTER coming on for hearing on the _____ day of _____, 20_____, at _____ o'clock __.m., before the School Board of _____ School District, all members present. President of the Board presiding, and the Board will be represented by _____, their attorney; and _____ appearing in person with his parents, _____, and by their attorney, _____; and the Board having heard the testimony and having examined and discussed the evidence offered by the witnesses and the matter having been submitted to the Board for decision, the Board does hereby make its decision, (one member dissenting,) to expel (suspend) _____ from any further attendance at _____ for _____ days based upon the following Findings of Facts:

FINDING OF FACT

- 1. The Brandon Valley School Board finds that _____ was:

- 2. The Brandon Valley School Board find that said conduct by _____ was in violation of the _____ School District's policy.
- 3. The Brandon Valley School Board finds that _____ and his parents, _____ had been given notice of the punishment to be recommended upon a violation.

Dated at Brandon, South Dakota this _____ day of _____, 20_____.

President, School Board

(ADOPTION DATE: February 28, 1983)
(REVISION DATE: November 9, 2004)
(REVIEWED DATE: April 28, 2008)

NURSING SERVICES

Believing there is a strong relationship between good health and effective learning, nursing/health services at Brandon Valley works to maintain, improve, and promote the health of school age students. The school health program is a team effort involving parents, teachers, nurses, school personnel, physicians and the community working towards optimum health for all students.

The role of the school nurse includes:

- Advocating for the health rights of students
- Assessing students' health with periodic screening for height, weight, visual acuity, hearing and scoliosis, and reporting to the parents/guardians any abnormal findings
- If necessary, assist with finding available financial and health resources
- Assessing immunization status of all students and transfer students into Brandon Valley School District
- Assessing and treating students with acute injury/illness
- Identifying students with diagnosed health problems and implementing individual health care plans for them and providing any specific nursing services to meet these needs
- Dispensing and overseeing the dispensing of medications
- Promoting wellness as an integral part of employee and student well being
- Maintaining health records for all students
- Recognizing evidence of communicable disease in students, and excluding those students from school attendance when necessary

Nursing services will be provided at all attendance centers based on numbers and need.

(ADOPTION DATE: February 28, 1983)

(REVISION DATE: October 28, 1991)

(REVISION DATE: July 10, 1995)

(REVISION DATE: November 9, 2004)

(REVIEWED DATE: April 28, 2008)

REF.: Brandon Valley Student Handbook-Nursing Services.

PHYSICAL EXAMINATIONS

The Board encourages parents and students to preserve and protect each student's general health. The Board will, therefore, recommend that each student should have a complete physical examination by a licensed physician upon entrance to kindergarten.

Athletic physicals are required as stipulated in the South Dakota High School Activities Association Constitution and Bylaws:

HEALTH STATEMENT. Every student, before being allowed to participate in interscholastic athletics, must have passed a physical examination of a duration no longer than triennial. **(The Brandon Valley School District requires a duration of no longer than annually.)** A pre-participation Interval Health History report must be completed annually as well.

Certification as to the adequacy of a student's health for athletic participation shall be restricted to a duly licensed doctor of medicine, doctor of osteopathy, doctor of chiropractic, physician's assistant or nurse practitioner, on official blanks furnished by the Executive Director. The date of such required health certification shall be one of the entries on the annual report of student athletic participation made to the Executive Director by each member school.

Annually as per recommendation by the state of South Dakota, students in appointed grade levels will be screened for height, weight, vision, hearing and scoliosis.

(ADOPTION DATE: February 28, 1983)
(REVISION DATE: July 10, 1995)
(REVISION DATE: November 9, 2004)
(REVIEWED DATE: April 28, 2008)

REF: Brandon Valley Student Handbook-Physical Examinations

IMMUNIZATION POLICY

South Dakota State Law (SDCL 13-28-7.1) requires that students receive specified immunization PRIOR to their admission to school. It is the intent of the Board to comply with the law through implementation of the following requirements:

A. Requirements

It is required that school authorities receive from each student a certification from a licensed health official stating that the student has received or is in the process of receiving adequate immunizations against those diseases specified in the law. As an alternative to the requirement for a certification, the law allows the student to present the following:

1. If the physical condition of the student would be such that a test or immunization would endanger the student's life or health, a licensed physicians signature is required on the South Dakota State Certificate of Immunizations.
2. If a student is adherent to a religious doctrine whose teachings are opposed to such tests and immunizations, a parent signature is required on the South Dakota State Certificate of Immunizations.

A. Procedures

To comply with the state law, the following procedures will be used:

1. At the time of the initial entrance of a student into Brandon Valley Schools, the appropriate certification or one of the above alternative statements will be required from a parent/guardian. Students who attempt to enroll without such a certification will be denied enrollment until such forms are submitted.
2. Enrolling kindergarten students must have all immunizations up-to-date and a S.D. Department of Health Certificate of Immunizations completed and into school authorities prior to the first day of school. A letter along with necessary forms is sent to all incoming kindergarten parents the February prior to fall enrollment. The immunization status of all kindergarten students will be reviewed and monitored by the school nurses.
3. Students transferring from out-of-state, who have not met immunization requirements, will be informed.
4. In cases where the certification indicates that immunizations have begun but are not complete, or when records are being sent from another school, students will be allowed temporary admittance for a period not to exceed forty-five (45) days. Parents will be notified with a letter from the Superintendent stating that immunizations are 30 days deficient. If immunization requirements are not met within forty-five (45) days, the student will be expelled until immunization requirements are met.
5. In those cases where parents fail to get their student properly immunized, thereby causing the student to be ineligible for admission to school, student neglect proceedings will be initiated by the building principal. _____

(ADOPTION DATE: July 10, 1995)
(REVISION DATE: November 9, 2004)
(REVIEWED DATE: April 28, 2008)
(REVISION DATE: June 14, 2010)

Ref.: Brandon Valley Student Handbook – Immunization Requirements

STUDENT COMMUNICABLE DISEASES

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

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

A determination of whether an infected student should be excluded from the classroom or school activities shall be made on a case-by-case basis, under the direction of the principal/building administrator designee and the State Department of Health Guidelines.

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

The advisory committee may be composed of:

1. a representative from the State Health Department;
2. the student's physician;
3. the student's parents or guardian(s);
4. the school principal or designee;
5. the school nurse
6. the superintendent or designee; and
7. primary teachers

In making the determination, the advisory committee shall consider

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

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

If it is decided that the student will not be permitted to attend class and/or participate in school activities, arrangements will be made to provide an

alternative educational program.

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

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

If a student is excluded from school because of a confirmed communicable disease, the superintendent/building principal will notify the parent/guardian of the student. The student shall remain home until he/she has the physician's order to return.

(ADOPTION DATE: December 14, 1987)
(REVISION DATE: July 10, 1995)
(REVISION DATE: November 9, 2004)
(REVIEWED DATE: April 28, 2008)

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REFERENCE: Control of Communicable Diseases, 14th Ed., 1985—Abram S. Benenson, Editor.
Department of Health Recommendations for School-Age Students with HIV Infection-South Dakota
Department of Health, December 1995.

STUDENT COMMUNICABLE DISEASE GUIDELINES

Health guidelines for school attendance are based on current recommendations of the South Dakota Department of Health, Office of Disease Prevention, and interpreted within the context of the situation. The guidelines are not inclusive but are available to be used as a resource. Specific needs will be addressed individually. School personnel will refer to school health professionals for specific judgments in interpreting the guidelines.

(ADOPTION DATE: December 14, 1987)

(REVISION DATE: July 10, 1995)

(REVISION DATE: November 9, 2004)

(REVIEWED DATE: April 28, 2008)

(REVISION DATE: June 14, 2010)

MEDICATIONS

The Board discourages the administration of medicine during school hours. The board recognizes, however, the need for dispensing medications to some students during school hours. It is the board's position that medicine on school property and the taking of medicine by students during school hours must be carefully monitored so as to safeguard students.

1. In those cases where medicine is prescribed necessary by a physician during school hours, a medication order form must be signed by a physician (includes any person authorized to prescribe medications in the State of South Dakota), stating the name of the medication, the medical diagnosis, specific time and dose to be taken at school, and possible adverse reactions. A parent signature will also be required on this form. All prescription medications must be sent in pharmacy labeled containers with student's name, prescribing physician's name, directions, and medication name.
2. School personnel will not provide any non-prescription medications. School personnel will only dispense or supervise non-prescription medications that have been provided by the parent. A permission form must be signed by a parent stating the medication's name, dosage, times to be taken and any side effects. This form may be obtained on the district web site, at the principal's office, or from the school nurse. The medication must be in its original container. Any non-prescription medication taken daily for two weeks or longer will require a physician's signature.
3. Any request to administer or permit a student to carry any substance for relief of a condition or symptom, or prevention of a health-related condition will be regarded as a medication request. Any alternative, homeopathic, or complementary medication taken daily or as needed will need a physician's signature. If a physician refuses to sign the administration form, the parent(s) will be responsible for administering the medication(s) to their child.
4. It is the responsibility of the student to come to the nurse's office to take their medication.
5. Only nurses or trained personnel will give medications to students.
6. Medicine is kept in locked cabinets. Accurate records are kept on students receiving medication.
7. All prescription medication orders must be renewed by the student's physician annually.
8. All prescription and non-prescription medication must be accompanied by proper forms indicating directions for dispensing and parental permission. These forms will be kept in building principal's office and nurse's office.

9. Parents are responsible for refills. Parents are urged to keep track of time frame for needed refills.
10. The board strongly warns parents against sending controlled substances in book bags with students. In doing so, parents accept any and all responsibility for their actions.
11. Any student with prescribed emergency medication such as glucagon, epi-pen, etc., will be required to provide the nursing staff with medication for emergency use throughout the school year. A student involved in extra-curricular activities must also provide additional medication for the personnel who will be responsible for the student before or after regular school hours. Students in the Early Childhood Program through the 8th grade will have the location of their emergency medications supervised by staff personnel on all school and extra-curricular activities. Students in grades 9-12 will be expected to be responsible for providing and informing school personnel of the location of any emergency medications before or after school hours.
12. All teaching and secretarial staff will receive annual epi-pen training. Those staff with direct contact with diabetic students will also receive annual diabetic education and glucagon administration training.

(ADOPTION DATE: February 28, 1983)
(REVISION DATE: July 10, 1995)
(REVISION DATE: November 9, 2004)
(REVISION DATE: December 10, 2007)
(REVIEWED DATE: April 28, 2008)

REF.: Brandon Valley Student Handbook-Prescription Medicine

EXPOSURE CONTROL – EMPLOYEE REGULATIONS

Universal precautions shall be practiced by all school employees to eliminate or minimize exposure to human blood or other potentially infectious materials.

All human blood and other potentially infectious materials shall be treated as if known to be infectious, regardless of the perceived status of the source individual.

Employee Training – Information regarding this policy and regulation shall be provided to all school employees at the time of initial employment.

1. Hand washing: Wash hands before and after each student contact with warm water and soap and immediately after gloves are removed. In an emergency situation, if gloves are not available, wash hands and other skin surfaces immediately and thoroughly if contaminated with blood or other body fluids.
 2. Non-Latex Gloves: Wear gloves for touching blood or other body fluids, mucous membranes or non-intact skin, and for handling items or surfaces soiled with blood or body fluids. Wear gloves if hands are chapped or have cuts or abrasions on them. Change gloves after contact with each student.
 3. Any surfaces or instruments exposed to blood or other body fluids are to be cleaned with soap and water, then disinfected with:
 - A. A solution of 1:10 house hold bleach and water, prepared fresh daily, or
 - B. E.P.A. approved disinfectant cleaner
-
1. Disposal
 - A. Supplies used when providing daily first aid or personal care should be placed in a plastic lined trash can.
 - B. Any materials heavily soiled with blood products or other body fluids should be placed in a plastic bag, closed and disposed of in a second plastic bag, which is immediately sealed and taken out to the regular trash pick-up site.
 - C. Blood and other body fluids may be carefully poured down a drain connected to a sewer system.
-
1. Containers for Sharps: All contaminated sharps (including needles, syringes, lancets, etc.) shall be discarded in puncture resistant, leak proof containers, which are labeled with the biohazard warning. Filled

containers will be sealed and collected by the District Health Office. Operational Services personnel will make arrangements for proper disposal.

2. Work Area Restrictions: Sink and work stations for food preparation must be separate from personal hygiene care areas.

EXPOSURE CONTROL – STUDENT REGULATIONS

Universal precautions shall be practiced by all students to eliminate or minimize exposure to human blood or other potentially infectious materials. If possible, do not handle blood and other body fluids. All human blood and other potentially infectious materials shall be treated as if known to be infectious, regardless of the perceived status of the source individual.

1. Hand washing: Wash hands with warm water and soap after exposure to contamination.
2. Any surfaces or instruments exposed to blood or other body fluids are to be cleaned using approved procedures by custodial staff.
3. Use of personal items: Students should be discouraged from using each other's personal items.
4. Containers for Sharps: All contaminated sharps (including needles, syringes, lancets, etc.) shall be discarded in puncture resistant, leak proof containers, which are labeled with the biohazard warning. Filled containers will be sealed and collected by the District health Office. Operational Services personnel will make arrangements for proper disposal.
5. Work area restrictions: Sink and work stations for food preparation must be separated from personal hygiene care areas.
6. Laundry Procedures: Student's personal clothing items replaced because they are soiled with urine, feces, vomit, etc., shall be handled using universal precautions. Soiled clothing shall be bagged and sent home with the student for home care.
7. Athletics:
 - A. Non-Latex gloves are to be worn when working with athletes in any situation that may involve contact with any form of human body fluids.
 - B. Athletes who have open sores or wounds must wear a protective cover to guard against transfer of blood or body fluids from person to person.

C. Athletes are to be provided individual drinking containers during practices and athletic events.

(ADOPTION DATE: July 21, 1995)
(REVISION DATE: November 9, 2004)
(REVISION DATE: May 27, 2008)

STUDENT PSYCHOLOGICAL SERVICES

A teacher or administrator may not refer a student for psychiatric treatment either within or outside the school without the prior written consent of the student's parent or legal guardian.

(ADOPTION DATE: February 28, 1983)

(REVISION DATE: November 9, 2004)

(REVIEWED DATE: April 28, 2008)

SUPERVISION OF STUDENTS

When students are in school, engaging in school-sponsored activities, or traveling to and from school on school buses, they are responsible to the school, and the school is responsible for them. School personnel assigned to their supervision serve *in loco parentis*.

The Board expects all students to be under assigned adult supervision at all times when they are in school, on school grounds, traveling under school auspices, or engaging in school-sponsored activities. School personnel assigned this supervision are expected to act as reasonably prudent adults in providing for the safety of the students in their charge.

In keeping with this expected prudence, no teacher or other staff member will leave his assigned group unsupervised except as an arrangement has been made to take care of an emergency.

During school hours, or while engaging in school-sponsored activities, students will be released only into the custody of parents or other authorized persons.

The school administration will assure that anyone who wishes to contact a student during the school day is doing so for proper reasons.

(ADOPTION DATE: February 28, 1983)

(REVISION DATE: November 9, 2004)

(REVIEWED DATE: April 28, 2008)

STUDENT SAFETY PATROL

Safety patrols may be organized by school administration. The safety patrols will instruct, direct and control students in crossing streets only in the immediate vicinity of the school. Members of safety patrol will have no authority over any persons other than students. They will serve only with the consent of their parents or guardians, and will, at all times, be under the charge of a teacher or other responsible adult adviser appointed by the principal. The safety patrols will be supervised by the principals or designee in each building.

(ADOPTION DATE: February 28, 1983)

(REVISION DATE: February 24, 1997)

(REVISION DATE: November 9, 2004)

(REVIEWED DATE: April 28, 2008)

REPORTING CHILD ABUSE

Any teacher or other school employee who suspects that a student under 18 years of age has been neglected or physically abused (including sexual or emotional abuse) by a parent or other person, will report orally or in writing this information to the building principal or superintendent. The principal or superintendent or designee should immediately report this information to the state's attorney; or the department of social services; or the county sheriff; or the city police. If the principal or superintendent does not confirm to the teacher or other employee within 24 hours that action has been initiated, the employee will report this information directly to the proper authorities.

The report will contain the following information: name, address, and age of student; name and address of parent or caretaker; nature and extent of injuries or description of neglect; and any other information that might help establish the cause of injuries or condition.

School employees, including administrators, will not contact the student's family or any other persons to determine the cause of the suspected abuse or neglect. It is not the responsibility of the school employees to prove that the student has been abused or neglected, or to determine whether the student is in need of protection, but only to report his suspicion of abuse or neglect.

Anyone who participates in making a report in accordance with the law and in good faith is immune from any civil or criminal liability that may otherwise arise from the reporting, or from any resulting judicial proceeding, even if the suspicions are proved to be unfounded.

Any personal interview or physical inspection of the student should be conducted in a considerate, professional manner. Information or records concerning reports of suspected abuse or neglect are confidential. The release to persons other than those provided by law is punishable by a \$1,000 fine, one year in jail or both. Failure to make a report where abuse or neglect is suspected is subject to the same punishment.

Copies of this policy will be distributed by the superintendent or designee to all school employees at the beginning of each school term, and to new employees when they begin employment if at a different time than the beginning of the school term.

(ADOPTION DATE: February 28, 1983)

(REVISION DATE: October 28, 1991)

(REVISION DATE: January 22, 1996)

(REVISION DATE: February 24, 1997)

(REVISION DATE: November 9, 2004)

(REVIEWED DATE: April 28, 2008)

STUDENT AWARDS AND SCHOLARSHIPS

The Board of Education encourages the professional staff to maintain a set of criteria and procedures for presenting letters or other suitable awards to students for scholarship and distinguished service in any school activity. In all cases, the relationship between the award and the relevant goal or goals of the schools should be pointed out.

The school administration is authorized to review and approve, or reject, proposed trophies, prizes, scholarships, or other awards from non-school donors. Acceptance will require affirmative answers to the following questions:

1. Can the proposed award be considered free from motives of personal or corporate gain and publicity?
2. Are the criteria for making the award under the control of the professional staff, or acceptable to the staff?
3. Are the purposes (either implied or explicit) of the proposed award consistent with our schools' goals?

(ADOPTION DATE: February 28, 1983)

(REVIEWED DATE: November 9, 2004)

(REVIEWED DATE: April 28, 2008)

STUDENT GIFTS AND SOLICITATIONS

GIFTS

Whereas it is the policy of the Brandon Valley School District to promote and enhance the quality of social, economic and cultural opportunities for every student regardless of their background, it behooves the enactment of a policy regarding the giving and receiving of gifts within the school institution as based on the following rationale:

1. There is the inherent problem of students vying with each other in the giving of gifts to district employees.
2. Students may easily suffer embarrassment caused by lack of money for employee gifts or because of parental opposition.
3. There is danger in using the size and price of the gift as a prestige factor among their peers.
4. Generally, public employees frown on gifts as not being compatible with the intentions of an educational institution.

When a student presents a gift to a staff member the gift may be elaborate or unduly expensive and staff are encouraged to accept such gifts in a discrete manner. The Board will consider as always welcome, and in most cases more appropriate than gifts, the writing of letters to staff members expressing gratitude or appreciation.

At the secondary level the policy provides for the allowance of small gifts of remembrances to the sponsor, coach, or directors at the completion of an activity. It can only be given in the name of a "group" with no listing of names, etc. of individual contributors. Monies for these gifts, if any, cannot be taken from the funds of any group held in school activity funds.

Holiday cards, letters of appreciation and other such remembrances are permissible, and any delivery of gifts to the home does not come under the jurisdiction of the school district.

This policy is made simply to insure that the whole school community-staff, students and parents recognize the responsibility of the school district in protecting the students from the possibility of anxiety and insecurity on such matters.

SOLICITATIONS

The superintendent or designee will annually approve all solicitants that are to be permitted in the schools. No organization may solicit funds from students in the

schools, nor may anyone distribute flyers or other materials related to fund drives through school, without the approval of the superintendent or designee.

(ADOPTION DATE: February 28, 1983)

(REVISION DATE: March 10, 1997)

(REVISION DATE: November 9, 2004)

(REVIEWED DATE: April 28, 2008)

CROSS REF.: GBI, Staff Gifts and Solicitations

GDF, Student fundraising activities

KI, Public Solicitations

KJ, Advertisement in the school

INSTRUCTION/PROGRAMS FOR HOMELESS STUDENTS

The School Board shall make reasonable efforts to identify homeless children within the School District, encourage their enrollment, and eliminate barriers to their education which may exist in District policies or practices, in compliance with all applicable federal and state laws.

Homeless students, as defined by federal and state statutes, residing within the District or residing in temporary shelters in the District, are entitled to free school privileges. No child or youth in the public schools shall be discriminated against or stigmatized because of homelessness.

(ADOPTION DATE: September 8, 2008)

INSTRUCTION/PROGRAMS FOR HOMELESS STUDENTS

School of Origin

It is the School District's responsibility to provide continued education services for homeless students. Such services for the child may be:

- continuation in the school of origin that the student attended when permanently housed or the school of last enrollment; or
- provided in the school that is attended by other students living in the same attendance area where the homeless child lives.

The District considers the best interest of the homeless student, with parental involvement, in determining placement.

Enrollment

The school shall immediately enroll the homeless student even if he or she is unable to produce records normally required for enrollment, including academic records, immunization records, proof of residency or other documentation. The District shall make a reasonable effort to locate immunization records from information available.

The District shall arrange for students to receive immunizations through health agencies and at District expense if no other recourse is available. Immunizations may, however, be waived for homeless youth only in accordance with provision of the School Board's policy on immunizations. The District may require a parent or guardian of a homeless student to submit contact information.

Transportation

Transportation services will be comparable to those provided other students in the selected schools. Transportation shall be provided to the student's school of origin in compliance with federal and state regulations.

Elimination of Segregated Services

Homeless students shall be provided services comparable to services offered to other students in the District including, but not limited to, transportation services; educational services for which the student meets the eligibility criteria, such as education programs for disadvantaged students, students with disabilities and gifted student; vocational programs and technical education; school nutrition programs; preschool programs; before and after school care programs; and programs for students with limited English proficiency. Homeless students will not be segregated in a separate school or in a separate program within a school based on the students' status as homeless.

Elimination of Identified Barriers

The District administration shall attempt to remove existing barriers to school attendance. Enrollment requirements or fees and charges that may constitute a barrier to the enrollment or education of a homeless child or youth may be waived at the discretion of the Superintendent.

Resolution of Enrollment Disputes

Disputes regarding enrollment of homeless students shall be referred to the Director of Special Services. Parents/guardians or unaccompanied youth can provide written or oral documentation to support their position. Students shall be provided with all services for which they are eligible while disputes are being resolved.

If a dispute is not resolved at the Director level, the individual may file an appeal with the Superintendent in accordance with Policy KL – Public Complaints. If a dispute is not resolved at the District level, it may be forwarded by the individual to the South Dakota Department of Education for review.

When inter-district disputes arise, the individual, all involved districts, and the South Dakota Department of Education shall be present to resolve the dispute.

(ADOPTION DATE: September 8, 2008)

STUDENT FEES, FINES, AND CHARGES

It is a responsibility of the Board to assure that the students of the district are provided with free public education. Therefore, no fee or charges may be required as a condition of school year attendance, credit in required course, or for materials or activities that are part of a course requirement. Neither may a fixed activity fee be requested of all students, nor class dues exacted. Students will be responsible for the cost of replacing any school district materials or property that is lost or damaged through the student's negligence.

Certain fees and charges, however, may be established under the following conditions:

1. When established to pay for optional activities that are not part of the regular school program, or essential to success in a course.
2. When established to pay for materials that are optional for use in a course, and when grades or credit are not dependent on their use.
3. When established to pay for materials that will result in shop products, clothing, or other items that the student will take home for personal use.

Certain other items or equipment required of students for personal use may be purchased by the school system and rented to the student. When the students no longer need these, they may be returned to the school dependent upon their condition.

The Board will annually review a list a fees and charges proposed at the various school levels. In making recommendations, school administrators will consider the cost of the time and bookkeeping involved in collecting fees and rental charges for minor items.

Book Fines:

Textbooks are furnished by the district. Book fines will be levied against those students who purposely mutilate their books. Fines will be determined by the teacher and the principal. Lost books will be paid for based on actual value of article.

(ADOPTION DATE: February 28, 1983)
(REVISION DATE: November 9, 2004)
(REVIEWED DATE: April 28, 2008)

REF.: Brandon Valley Student Handbook, Book Fines.

STUDENT RECORDS

It is the policy of the Brandon Valley school board that the principal of each school will be the legal custodian of all student records for that school.

Eligible Students and parents will have access to their school records. The school will notify parents and adult students annually of the following:

1. The type of records kept;
2. The procedure for inspecting and copying these records;
3. The right for interpretation;
4. The right to challenge data thought to be erroneous, the procedures for correcting or expunging erroneous data or inserting a rebuttal statement;
5. The right to lodge a complaint with the U.S. Department of Education if mandates are not adequately implemented.

Additionally, the district will notify parents annually of the district's policy on the collection or use of personal information collected from students for the purpose of marketing or selling that information or otherwise providing that information to others for that purpose, including arrangements to protect student privacy that are provided by the agency in the event of such collection, disclosure or use.

The educational records or school records include all materials directly related to a student that a school maintains. Records and notes maintained by a teacher, administrator, school physician, or school psychologist for his or her own use, and which are not available to others are exempted from this definition as are records maintained by a law enforcement officer assigned to the school and maintained by the officer solely for law enforcement purposes.

The school will require a prior written consent before information other than directory information may be divulged to third parties. (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. See Policy JO-N for a list of directory information.) An exception to this rule exists for school district employees who have legitimate interests in viewing the records, as well as officials in other schools in which the student seeks to enroll. A school district in which a student is enrolled or is in the process-of enrolling in, may request the students education records from any district in which the student was formerly enrolled to ascertain safety issues with incoming students and ensure full disclosure. The records, including the student's disciplinary records, will be forwarded to the requesting district within three (3) business days. Disciplinary records shall include but not be limited to all information that relates to a student assaulting, carrying weapons, possessing illegal drugs, including alcohol, and any incident that poses a potential dangerous threat to students or school personnel.

When schools transfer records to new educational institutions, the schools must notify parents of the transfer, and of their right to review and contest the material. An exemption exists for material under court order. Parents must be notified of such order prior to release.

The district may disclose, without the consent or knowledge of the eligible student or parent, personally identifiable information in the educational records of a student to the Attorney General of the United States or his or her designee in response to an ex parte order in connection with the investigation or prosecution of terrorism crimes. The district is not required to record such disclosure of information and is protected from liability for disclosing such information in good faith.

The superintendent is directed to establish procedures to ensure compliance with the Family Educational and Privacy Act and other applicable acts and regulations.

(ADOPTION DATE: December 14, 1987)
(REVISION DATE: January 22, 1996)
(REVISION DATE: November 9, 2004)
(REVISION DATE: February 26, 2007)
(REVIEWED DATE: April 28, 2008)

CROSS REFS.: KBA, Public's Right to Know

REFERENCE: Family Educational Rights and Privacy Act
18 USC §§2331 and 2332(g)(5)(B)
20 USC 1232
P. O. [107-110](#), No Child Left Behind Act of 2001
ARSD [24:03:04:10](#)

CROSS-REFERENCE:

Selected Sample Policy
SOUTH DAKOTA POLICY REFERENCE MANUAL (Revised February 2003)

COMPLIANCE WITH FAMILY EDUCATION RIGHTS
AND PRIVACY ACT OF 1974

(REGULATION)

In accordance with the policy of the school board. The following regulation shall govern the release of student records to students or legal guardian.

DEFINITIONS

For the purpose of this regulation, the school district has used the following definitions of terms:

Student

Any person who attends or has attended a program of instruction sponsored by the school board of this school district.

Eligible Student

A student or former student who has reached age 18 or is attending a post-secondary school, and who is no longer a dependent of the parent for federal tax purposes.

Parent

Either natural parent of a student unless his or her rights under the Family Education Rights and Privacy Act (FERPA) have been removed by a court order; an adopted parent; a guardian; or an individual acting as a parent or guardian in the absence of the student's parent or guardian.

Education Records

Any item of personally identifiable information or record (in handwriting, print, computer media, video –other than a video made in a public place without expectation of privacy, or audio tapes, film, microfilm, microfiche, or other medium) maintained by the school district, an employee of the district, or an agent of the district which is directly related to an identifiable student except:

1. A personal record, including informal notes, kept by a school staff member, which meets the following tests:
 - A. It was made as a personal memory aid;
 - B. It is in the sole possession of the individual who made it; or
 - C. Information contained in it has never been revealed or made available to any other person except the maker's temporary substitute;
2. An employment record which is used only in relation to a student's employment by the school district (employment for this purpose does not include activities for which a student receives a grade or credit in a course); or

3. Alumni records that relate to the student after the student no longer attends classes provided by the school district and the records do not relate to the person as a student.
4. Law enforcement records maintained by a law enforcement officer maintained solely for law enforcement purposes. **THIS FROM FERPA: "(B) The term "education records" does not include records maintained by a law enforcement unit of the educational agency or institution that were created by that law enforcement unit for the purpose of law enforcement;**

Personal Identifier

Any data or information that makes the subject of a record known. This includes the student's name, the student's parents or other family member's name, the student's address, the student's social security number, a student number, a list of personal characteristics, or any other information that would make the student's identity known.

ANNUAL NOTIFICATION

Within the first three weeks of each school year, the school district will publish a notice to parents and eligible students of their rights under the FERPA and this policy. The district will also provide a bulletin listing these rights that will be included with a packet of registration material provided parents or an eligible student when the student enrolls.

The notice will include the following:

1. The right of a student's parent or eligible student to inspect and review the student's education records;
2. The intent of the school district is to limit the disclosure of information contained in a student's education records except: (1) by the prior written consent of the student's parent or the eligible student, (2) as directory information, or, (3) under certain limited circumstances, as permitted by the FERPA;
3. The right of a student's parent or an eligible student to seek to correct parts of the student's education records which he or she believes to be inaccurate, misleading, or in violation of student rights (this right includes the right to a hearing to present evidence that the record should be changed if the district decides not to alter it according to the parents or eligible student's request and the right to insert in the student's permanent records an explanatory statement giving reasons for disagreeing with the decision);
4. The right of any person to file a complaint with the Department of Education if the school district violates the FERPA; and
5. The procedure that a student's parent or an eligible student should follow to obtain copies of this policy and the locations where copies may be obtained.
The district will arrange to provide translations of this notice to non-English speaking parents in their native language.

The district will arrange to provide translations of this notice to non-English speaking parents in their native language.

STATEMENT OF RIGHTS

Parents and eligible students have the following rights under the Family Education Rights and Privacy Act and this policy:

1. The right to inspect and review the student's education record;
2. The right to exercise a limited control over other people's access to the students education record;
3. The right to seek to correct the student's education record, in a hearing, if necessary;
4. The right to report violations of the FERPA to the Department of Education; and
5. The right to be informed about FERPA rights.

All rights and protections given parents under the FERPA and this policy transfer to the student when the student reaches 18 or enrolls in a post-secondary school.

LOCATIONS OF EDUCATION RECORDS

TYPES	LOCATION	CUSTODIAN
Cumulative School Records	High School Office	Principal
Cumulative School Records(Former Students)	High School Office	Principal
Health Records	Building Offices	District Nurse
School Transportation Records Operations Mgr.	Transportation Facility	
Special Education Records	Building Office	Sp. Serv. Director
Speech Therapy Records	Building Offices	Sp. Serv. Director
Psychological Records	Building Offices	Sp. Serv. Director

PROCEDURE TO INSPECT EDUCATION RECORDS

The parent of a student or an eligible student may inspect the student's education records upon request. In some circumstances, it may be mutually more convenient for the record custodian to provide copies of records. See the schedule of fees for copies below.

Since student's records may be maintained in several locations, the school principals will offer to collect copies of records or the records themselves from locations other than a student's school, so they may be inspected at one site. However, if a parent or eligible student wishes to inspect records where they are maintained, school principals will make every effort to accommodate the wishes.

The parent or eligible student should submit to the students school principal a written request that identifies, as precisely as possible, the record or records he or she wishes to inspect.

The principal (or other record custodian) will contact the parent of the student or the eligible student to discuss how access will be best arranged (copies, at the exact location, or records brought to a single site).

The principal (or other record custodian) will make the needed arrangements as promptly as possible and notify the parent or eligible student of the time and place where the records may be inspected. This procedure must be completed in 45 days or less from the receipt of the request for access.

If for any valid reason, such as working hours, distance between record location sites, or health, a parent or eligible student cannot personally inspect and review a student's education record, the school district will arrange for the parent or eligible student to obtain copies of the record. See below for information regarding fees for copies of records.

When a record contains information about students other than a parent's child or the eligible student, the parent or eligible student may not inspect and review the records of the other students.

FEES FOR COPIES OF RECORDS

The school district will not deny parents or eligible students any rights to copies of records because of the following published fees. Where the fee represents an unusual hardship, the record custodian may waive it in part, or in whole. However, the district reserves the right to charge for copies, such as transcripts, it forwards to potential employers or to colleges and universities for employment or admission purposes. The school district may deny copies of records (except for those required by the FERPA) in the following situations:

1. The student has an unpaid financial obligation to the school.
2. There is an unresolved disciplinary action against the student that warrants the denial of copies.

The FERPA requires the school district to provide copies of records:

1. When the refusal to provide copies effectively denies access to the records by a parent or eligible student;
2. At the request of the parent or eligible students when the school district has provided the records to third parties by the prior consent of the parent or eligible student; or
3. At the request of the parent or eligible student when the school district has forwarded the records to another school where the student seeks or intends to enroll.

The fee for copies provided under the FERPA may not include the costs for search and retrieval. The fee will be from no cost to ten cents per page. (Actual copying cost, less hardship factor.)

The fee for all other copies, such as copies of records forwarded to third parties with prior consent or those provided to parents as a convenience, will be from ten cents to thirty-five cents per page (actual search, retrieval, and copying cost) plus postage, if incurred.

DIRECTORY INFORMATION

The school district designates the following personally identifiable information contained in a student's education record as "directory information:

1. The student's name, address, and telephone number;
2. The names of the student's parents;
3. The student's grade level;
4. The student's extracurricular participation;
5. The student's achievement degrees, awards or honors;
6. The student's weight and height if a member of an athletic team;
7. The student's photograph;

Within the first three weeks of each school year, the school district will publish the above list, or a revised list, of items of directory information it proposes to designate as directory information. For students enrolling after the notice is published, the list will be given to the student's parent or the eligible student at the time and place of enrollment.

After the parent or eligible student has been notified, he or she will have two weeks to advise the school district in writing (a letter to the school superintendent's office) of any or all of the items they refuse to permit the district to disclose as directory information about the student.

At the end of the two-week period, each student's record will be appropriately marked by the record custodian to indicate the items the district will designate as directory information about the student. This designation will remain in effect until it is modified by the written direction of the student's parent or the eligible student.

USE OF STUDENT EDUCATION RECORDS

To carry out their responsibilities, school officials will have access to student education records for legitimate educational purposes. The school district will use the following criteria to determine who are school officials. An official is:

1. A person duly elected to the school board;
2. A person certified by the state and appointed by the school board to an administrative or supervisory position;
3. A person certified by the state and under contract to the school board as an instructor;
4. A person employed by the school board as a temporary substitute for administrative, supervisory, or instructional personnel for the period of his or her performance as a substitute; or
5. A person employed by, or under contract to, the school board to perform a special task such as a secretary, a clerk, the school board attorney or auditor, for the period of his or her performance as an employee or contractor.

School officials who meet the criteria listed above will have access to a student's records if they have a legitimate educational interest in doing so. A "legitimate educational interest" is the person's need to know in order to:

1. Perform an administrative task required in the school employee's position description approved by the school board;

2. Perform a supervisory or instructional task directly related to the student's education; or
3. Perform a service or benefit for the student or the student's family such as health care, counseling, student job placement, or student financial aid.

The school district will only release information from or permit access to, a student's education record with a parent's or eligible student's prior written consent except that the school superintendent, or a person designated in writing by the superintendent, may permit disclosure:

1. When a student seeks or intends to enroll in another school district or a post-secondary school (the district will not further notify the parent or eligible student prior to such a transfer of records; the parent or eligible student has a right to obtain copies of records transferred under this provision);
2. When certain federal and state officials need information in order to audit or enforce legal conditions related to federally supported education programs in the district;
3. The parties who provide or may provide financial aid to a student to:
 - A. Establish the student's eligibility for the aid,
 - B. Determine the amount of financial aid,
 - C. Establish the conditions for the receipt of the financial aid, or
 - D. Enforce the agreement between the provider and receiver of financial aid;
4. When the school district has entered into a written agreement or contract for an organization to conduct studies on the school district's behalf to Develop tests, administer student aid, or improve instruction;
5. To accrediting organizations to carry out their accrediting functions;
6. To comply with a judicial order or lawfully issued subpoena (the district will make a reasonable effort to notify the students parent or the eligible student before making a disclosure under this provision);
7. If the disclosure is an item of directory information, and the student's parent or eligible student has not refused to allow the district to designate that item as directory information for the student; or
8. In response to an ex parte order of the Attorney General of the United States or his/her designee in connection with the investigation or prosecution of terrorism crimes.

The school district will permit any of its officials to make the needed disclosure from student education records in a health or safety emergency if:

1. He or she deems it is warranted by the seriousness of the threat to the health or safety of the student or other persons;
2. The information is necessary and needed to meet the emergency;
3. The persons to whom the information is to be disclosed are qualified and in a position to deal with the emergency; or
4. Time is an important and limiting factor in dealing with the emergency.

The school district officials may release information from a student's education record if the student's parent or the eligible student gives prior written consent for disclosure. The written consent must include at least:

1. A specification of the records to be released;
2. The reasons for the disclosure;

3. The person, organization, or the class or organizations to whom the disclosure is to be made;
4. The parent's or eligible students signature; and
5. The date of the consent and, if appropriate, a date when the consent is to be terminated.

The student's parent or the eligible student may obtain a copy of any records disclosed under this provision.

The school district will not release information contained in a student's education records, except directory information, to any third parties except its own officials, unless those parties agree that the information will not be re-disclosed without the parents or eligible students prior written consent.

RECORDS OF REQUESTS FOR ACCESS AND DISCLOSURES MADE FROM EDUCATION RECORDS

The school district will maintain an accurate record of all requests for it to disclose information from or to permit access to, a student's education records and of information it discloses and access it permits with some exceptions listed below. This record will be kept with, but will not be a part of, the student's cumulative school records. It will be available only to the record custodian, the eligible student, the parent of the student, or to federal, state, and local officials for the purpose of auditing or enforcing federally supported educational programs.

The record will include at least:

1. The name of the person or agency that made the request;
2. The interest the person or agency had in the information;
3. The date the person or agency made the request; and
4. Whether the request was granted and, if it was, the date access was permitted or the disclosure was made,

The district will maintain this record as long as it maintains the student's education record.

The record will not include:

1. Requests for access or access granted to the parent of the student or to an eligible student;
2. Request for access granted to officials of the school district who have a legitimate educational interest in the student;
3. Requests for, or disclosures of, information contained in the student's education record if the request is accompanied by the prior written consent of a parent of the student or the eligible student or if the disclosure is authorized by such prior consent;
4. Requests for, or disclosure of, directory information designated for that student or for
5. Requests for, or disclosure of, information contained in the student's education record if the request is in response to an ex parte order of the Attorney General of the United States or his/her designee in connection with the investigation or prosecution of terrorism crimes.

PROCEDURES TO SEEK TO CORRECT EDUCATION RECORDS

NOTE: under the FERPA, the district may decline to consider a request to change the grade a teacher assigns for a course.)

For the purpose of outlining the procedure to seek to correct education records, the term "incorrect" will be used to describe a record that is inaccurate, misleading, or in violation of student rights. The term "correct" will be used to describe a record that is accurate, not misleading, and not in violation of student rights. Also, in this section, the term "requester" will be used to describe the parent of a student or the eligible student who is asking the school district to correct a record.

To establish an orderly process to review and correct an education record for a requester, the district may make a decision to comply with the request for change at several levels in the procedure.

First Level Decision

When a parent of a student or an eligible student finds an item in the student's education record that he or she believes is inaccurate, misleading, or in violation of student rights, he or she should immediately ask the record custodian to correct it. If the record is incorrect because of an obvious error and it is a simple matter to make the record change at this level, the record custodian will make the correction. However, if the record is changed at this level, the method and result must satisfy the requester.

If the record custodian cannot or will not change the record to the requester's satisfaction, or if the record does not appear to be obviously incorrect, the record custodian will:

1. Provide the requester a copy of the questioned record at no cost;
2. Ask the requester to initiate a written request for the change; and
3. Follow the procedure for a second level decision.

Second Level Decision

The written request to correct a student's education record through the procedure at this level should specify the correction the requester wishes the district to make. It should at least identify the item the requester believes is incorrect and state whether he or she believes the item:

1. Is inaccurate and why;
2. Is misleading and why; and/or
3. Violates student rights and why.

The request will be dated and signed by the requester.

Within two weeks after the record custodian receives a written request, he or she will: study the request, discuss it with other school officials (the person who made the record or those

who may have a professional concern about the district's response to the request), make a decision to comply or decline to comply with the request, and complete the appropriate steps to notify the requester or move the request to the next level for a decision.

If, as a result of this review and discussion, the record custodian decides the record should be corrected, he or she will effect the change and notify the requester in writing that the change has been made. Each such notice will include an invitation for the requester to inspect and review the student's education record to make certain the record is in order and the correction is satisfactory.

If the record custodian decides the record is correct, he or she will make a written summary of any discussions with other officials and of the findings in the matter. The record custodian will transmit this summary and a copy of the written request to the school superintendent.

Third Level Decision

The school superintendent will review the material provided by the record custodian and, if necessary, discuss the matter with other officials such as the school attorney, or the school board (in executive session). The superintendent will then make a decision concerning the request and complete the steps at this decision level. Ordinarily, this level of the procedure should be completed within two weeks. If it takes longer, the superintendent will notify the requester, in writing, of the reasons for the delay and a date when the decision will be made.

If the superintendent decides the record is incorrect and should be changed, he or she will advise the record custodian to make the changes. The record custodian will advise the requester of the change as at the second level.

If the superintendent decides the record is correct, he or she will prepare a letter to the requester, which will include:

1. The school district's decision that the record is correct and the basis for the decision;
2. A notice to the requester that he or she has a right to ask for a hearing to present evidence that the record is incorrect and that the district will grant such a hearing;
3. Instructions for the requester to contact the superintendent, or an official he or she designates, to discuss acceptable hearing officers, convenient times, and a satisfactory site for the hearing (the district will not be bound by the requester's positions on these items, but will, so far as possible, arrange the hearing as the requester wishes); and
4. Advise that the request may be represented or assisted in the hearing by other parties, including an attorney at the requester's expense.

Fourth Level Decision

After the requester has submitted (orally, or in writing) his or her wishes concerning the hearing officer and the time and place for the hearing, the superintendent will, within a week, notify the requester when and where the district will hold the hearing and who it has designated as the hearing officer.

At the hearing, the hearing officer will provide the requester a full and reasonable opportunity to present material evidence and testimony to demonstrate that the questioned part of the

student's education record is incorrect as shown in the requester's written request for a change in the record (second level).

Within a week after the hearing, the hearing officer will submit to the school superintendent a written summary of the evidence submitted at the hearing.

Along with the summary, the hearing officer will submit his or her recommendation, based solely on the evidence presented at the hearing, that the record should be changed or remain unchanged.

The school superintendent will prepare the district's decision within two weeks of the hearing. The decision will be based on the summary of the evidence presented at the hearing and the hearing officer's recommendation. However, the district's decision will be based solely on the evidence presented at the hearing. Therefore, the superintendent may overrule the hearing officer if the superintendent believes the hearing officer's recommendation is not consistent with the evidence presented. As a result of the district's decision, the superintendent will take one of the following actions:

1. If the decision is that the district will change the record, the superintendent will instruct the record custodian to correct the record. The record custodian will correct the record and notify the requester as at the second level decision.
2. If the decision is that the district will not change the record, the superintendent will prepare a written notice to the requester that will include:
 - A. The school district's decision that the record is correct and will not be changed;
 - B. A copy of a summary of the evidence presented at the hearing and a written statement of the reasons for the district's decision; and
 - C. Advice to the requester that he or she may place in the student's education record an explanatory statement which gives the reasons he or she disagrees with the school district's decision or the reasons he or she believes the record is incorrect.

(ADOPTION DATE: February 28, 1983)

(REVISION DATE: November 9, 2004)

(REVISION DATE: February 26, 2007)

(REVIEWED DATE: April 28, 2008)

Legal References: Family Educational Rights and Privacy Act

Selected Sample Policy

SOUTH DAKOTA POLICY REFERENCE MANUAL (Revised January 2003)

STUDENT RECRUITMENT
ACCESS TO STUDENTS AND DIRECTOR INFORMATION

The Brandon Valley School District 49-2 may disclose any of the items listed as directory information without prior written consent, unless notified in writing to the contrary as provided in FERPA policy JO. The parent, legal guardian of the student, or the student age 18 or over may also provide written notification to the school administration requesting directory information not be released to military service recruiters. (See policy FLD for listing of directory information items.)

Subject to the provisions of state and federal laws, this district shall provide the same directory information and on-campus recruiting opportunities to representatives of the armed forces of the United States of America and state armed services as are offered to nonmilitary recruiters, and recruiters representing post-secondary institutions.

The school administrator may make the determination of when the recruitment meetings are to take place and reserves the right to deny such meeting where the holding of such meeting will materially and substantially interfere with the proper and orderly operation of the school. Organizations wishing to recruit at the high school must make arrangements with the principal or designee who will determine the schedule for the recruitment meeting. Scheduled visits by recruiters will be made known to the student body.

On-campus follow-up meetings with individual students will be permitted only upon the request of the student(s) and with the approval of the building principal or designee.

Any person or organization denied the rights accorded under this policy shall have the right to request a review of the decision by the school board by filing a written request with the superintendent of schools.

This district will notify parents of the types of student directory information released. The notice will include:

1. An explanation of the parent's or eligible student's right to request that information not be disclosed without prior written consent;
2. Notice that the school routinely discloses names, addresses, and telephone numbers to military recruiters upon request, subject to a parent's or eligible student's request not to disclose such information without written consent; and
3. Notification on how the parent or eligible student may opt out of the public, nonconsensual disclosure of directory information and the method and timeline within which to do so.

The notice will be provided on an annual basis

REFERENCE: 10 U.S.C. §503 as amended by The National Defense Authorization Act for Fiscal Year 2002 (P.L. 107-107) 20 U.S.C. §7908 (§9528 of the ESEA) as amended by the No Child Left Behind Act of 2001 (P.L. 107-110)

Note: Cited provisions of federal law apply to all LEAs receiving ESEA funds. A district's failure to comply with ESEA regulations may result in loss of funds. The Patriot Act requires military access to students and director information.

THIS POLICY REQUIRED BY THE NO CHILD LEFT BEHIND ACT.

(ADOPTION DATE: March 12, 2007)

(REVIEWED DATE: April 28, 2008)

CROSS REFS.: Policy JO-N, Student Directory Information

Selected Sample Policy

SOUTH DAKOTA POLICY REFERENCE MANUAL (Revised February 2003)

NOTIFICATION TO PARENTS
RELEASE OF CERTAIN INFORMATION
"NO CHILD LEFT BEHIND ACT"

Date:

Dear Parent/Guardian:

Pursuant to the federal "No child Left Behind Act," P.L. 107-110 (Title IX, sec. 9528), the Brandon Valley School District 49-2 must disclose to military recruiters and institutions of higher learning, upon request, the names, addresses, and telephone numbers of high school students.

The District must also notify parents/guardians of their right and the right of an 18-year old student to request that the District not release such information without prior written consent.

Parents/guardians or eligible 18-year old students wishing to exercise their option to withhold their consent to the release of the above information to military recruiters and institutions of higher learning must sign the form below and return to the building principal.

**DENIAL OF CONSENT FOR THE RELEASE OF CERTAIN STUDENT INFORMATION
UNDER THE "NO CHILD LEFT BEHIND ACT"**

Please do not release the name, address, and telephone number of

_____ to: military recruiters; post-secondary institutions.
(Name of Student)

Print Name of Student

School

Grade

Parent's/Guardian's or 18-year old student's Signature

Date

(ADOPTION DATE: March 12, 2007)
(REVIEWED DATE: April 28, 2008)

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)
Model Notice for Directory Information

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that Brandon Valley School District 49-2, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your student's education records. However, Brandon Valley School District 49-2 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 Brandon Valley School District 49-2 to include this type of information from your student'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 is information that is generally not considered harmful or an invasion of privacy if released. Lists of directory information will not be provided to outside organizations or businesses including those closely affiliated with the school, except as required by law (i.e., military recruiters and post-secondary institutions.) In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with three directory information categories – names, addresses, and telephone listings – unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent. ¹

If you do not want Brandon Valley School District 49-2 to disclose directory information from your student's education records without prior written consent, you must notify the District in writing. Brandon Valley School District 49-2 has designated the following information as directory information:

1. Student's Name;
2. Address;
3. Telephone Listing;
4. Photograph;
5. Names of student's parent(s);
6. Participation in officially recognized activities and sports;
7. Weight and height of members of athletic teams;
8. Degrees, honors, and awards received;
9. Grade level;
10. The most recent educational agency or institution attended.

¹ *These laws are: Section 9528 of the ESEA (20 U.S.C. 7908), as amended by the No Child Left Behind Act of 2001 (P.L. 107-110), the education bill, and 10 U.S.C. 503, as amended by section 544, the National Defense Authorization Act for Fiscal Year 2002 (P.L. 107-107), the legislation that provides funding for the Nation's armed forces.*

(ADOPTION DATE: March 12, 2007)
(REVIEWED DATE: April 28, 2008)

Selected Sample Policy
SOUTH DAKOTA POLICY REFERENCE MANUAL (Revised February 2003)