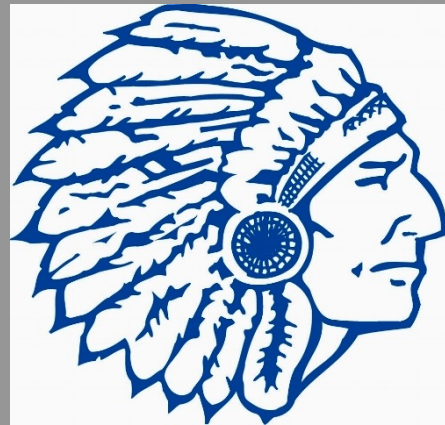


SOLEN  
SCHOOL  
DISTRICT  
#3



STUDENT  
HANDBOOK

UPDATED: 8/17/2020

HOME OF THE SIOUX

Welcome to Solen Public School District (Cannon Ball Elementary and Solen High)

“Home of the Sioux.”

## Cannon Ball Elementary School

7080 8th Ave, P.O. Box 218  
Cannon Ball, ND 58528

TELEPHONE: (701) 854-3341  
FAX NUMBER: (701) 854-3342  
WEBSITE: <http://www.solen.k12.nd.us>

## Solen High School

902 East Broadway, PO Box 128  
Solen, ND 58570

TELEPHONE: (701) 445-3331  
FAX NUMBER: (701) 445-3323  
WEBSITE: <http://www.solen.k12.nd.us>

This handbook belongs to:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

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# I. Introduction/ Welcome

The purpose of this handbook is to provide Solen Public School District #3 (Cannon Ball Elementary/Solen High School) students with information that will assist them in accomplishing maximum achievement in their educational programs. It is also to acquaint new and returning students of our school with the practices and regulations to be followed during the school year.

It shall be emphasized that we expect every student to exhibit certain basic, common sense, unwritten patterns of behavior in their activities and associations around school. The respect that everyone should show toward others and expect from others should not have to be written out. Everyone knows these common tenets of proper behavior and should demonstrate these qualities in their daily conduct, both in school and out. Positive attitude, effort and cooperation, as well as respect, if demonstrated by everyone, will make long lists of rules and regulations unnecessary.

The handbook should be read carefully and the contents discussed with parents or guardians. It is important that everyone involved thoroughly understand the organization, regulations, and activities of Solen Public School District #3 (Cannon Ball Elementary/Solen High School). Not knowing the contents will not excuse a student from following the adopted student policies.

The student's years in school are a stepping-stone for eventual career development, as well as a continuing process of maturity and socialization. The administration encourages each student to plan their course of study with this in mind as well as concentrating on completing the requirements for graduation and receiving a diploma from Solen Public School District #3 (Cannon Ball Elementary/Solen High School).

It is a sincere wish that your school year will be beneficial and productive; a year that you will enjoy and reflect back upon with fond memories.

## Welcome to Solen Public School District (Cannon Ball Elementary and Solen High)

“ HOME OF THE SIOUX . ”

### SOLENS HIGH SCHOOL

902 EAST BROADWAY

SOLENS, ND 58570

TELEPHONE: (701)445-3331

FAX: (701) 445-3323

### CANNON BALL ELEMENTARY SCHOOL

7080 8<sup>TH</sup> AVENUE

CANNON BALL, ND 58528

TELEPHONE: (701) 854-3341

FAX: (701) 854-3342

Website: <http://www.solen.k12.nd.us>

## **II. School Directory**

For current school directory, please see the school's website: <http://www.solen.k12.nd.us>

## **III. Vision Statement**

“The Solen School District will provide opportunities for all students to develop their skills and talents to become productive citizens and lifelong learners”

## **IV. Mission Statement**

“Solen School District commits to preparing our students to be college or career ready by providing learners with opportunities to develop their skills and knowledge, along with an understanding of the Dakota culture.”

To accomplish our mission, we present the following goals:

1. To provide high-standards based learning and activities that meet the needs of all learners.
2. To develop student's feelings of positive identity and self-worth for healthful and productive living.
3. To provide a safe and nurturing environment for all individuals.
4. To encourage the Solen-Cannon Ball Tiyospaye to play a vital role in supporting the education of our learners.

## **V. Educational Philosophy**

We believe The Great Spirit put us on mother earth to be kind, respecting one another and all things. We believe that Solen Public School District #3 (Cannon Ball Elementary/Solen High School) must reflect the local culture. Recognizing each of our children as unique and individual people of our Solen public schools' (Cannon Ball Elementary/Solen High School) community, the school, in cooperation with the parents, will provide educational opportunities for all students to be competent culturally, physically, emotionally, socially and academically.

## **VI. Open Enrollment**

Solen Public School District #3 has adopted an Open Enrollment Policy. Specific procedures and dates of application are part of the policy. Interested persons should contact the superintendent's office for information and application procedures. The principal or superintendent will notify the parent/guardian and the resident district of the acceptance or rejection of an application within five (5) working days of the date on which action was taken.

## **VII. Tuition**

Students whose permanent residence are within the Solen Public School District #3 are not required to pay tuition. Students whose permanent residence are outside the Solen Public School District #3 are charged tuition, unless the school district from which they came agrees in advance to pay tuition for them, or they have been accepted through an open enrollment application. The tuition cost is the difference between the state per pupil payment and per pupil cost in Sioux county.



## **VIII. Emergency Information**

With emergency weather information and when school is cancelled or closing, announcements will be made over school district website, district Facebook page, district wide all call/text system, and local radio affiliates.

## **IX. Confidentiality**

The Solen Public School District #3 has the responsibility to ensure the trust and protection of confidentiality of each student's record and information. This responsibility applies to all personnel in the school system including school board members, administrators, teachers, bus drivers, custodians, food service personnel, administrative assistants, aides and any other staff members. This responsibility for confidentiality begins the first day of employment within the school district.

Confidentiality is guaranteed to all students through the family education rights and privacy act. This law applies to any school in the U.S. that receives federal funding. It covers students three (3) years of age to any person enrolled in college.

The individuals with disabilities education act reinforces the requirements for the protection of privacy for parents and their children with disabilities ages three (3) through twenty-one (21). The intent of this policy is to protect the confidentiality of all children and families, served by the district, regardless of age.

Employees of the Solen public school district #3 may not share academic information from school district records except during private staff meetings where the information is necessary to the advancement of the education of a student. Results of test scores, counseling data, faculty meetings and personal problems of both students and co-workers need to be handled with discretion. Confidential information shall be kept in a storage vault with limited access. Agencies or individuals desiring information will be directed to the office of the superintendent or principal.

A breach of confidentiality will be handled under the **North Dakota Century Code, section 15-36-15, and subsection 6.**

## **X. Non-Discrimination Policy**

It is the policy of the Solen Public School District # 3 not to discriminate in employment or student enrollment or participation in any school activities on the basis of race, color, national origin, age, handicap, sex, or religion. Complaints regarding discrimination should be filed with the superintendent.

## **XI. Accreditation**

Solen Public School District #3 (Cannon Ball Elementary/Solen High School) is fully accredited by the North Dakota State Department of Public Instruction.

## **XII. Building Hours**

The building is usually open from 7:30 a.m. - 4:30 p.m. a member of the faculty must supervise any student or group of students in the building other than during these hours. Maintenance personnel are not to assume this responsibility.

### **XIII. Church Night**

Wednesday nights are traditionally church nights recognized by the district; therefore, no activities will take place at the school after 6:00 p.m.

### **XIV. Publications**

A multi-media club/yearbook will be offered this school year. The Solen Sioux Facebook page will be updated with current events and announcements.

### **XV. School Days - Elementary**

Classes will begin at Cannon Ball Elementary School at 8:20 am and will be dismissed at 3:15 pm for all grades k-6 this is subject to change to accommodate the national pandemic COVID -19 . The pre-school schedule varies and will be sent to parents/guardians.

### **XVI. School Days - High School**

Schedule is subject to change to accommodate national pandemic COVID-19.

<b>Schedule</b>	<b>Time</b>
Check out / Break	8:00am - 8:20am
Period 1	8:22am - 9:22am
Period 2	9:24am - 10:24am
Period 3	10:26am - 11:26am
Lunch	11:28am - 11:58am
Period 4	12:00pm - 1:00pm
Period 5	1:02pm - 2:02pm
Period 6	2:04pm - 3:04pm
Check In	3:06pm - 3:36pm

### **XVII. Visitors**

Students may bring visitors to school. Students are to check with the principal one day prior to secure a visitor's pass before visitors will be allowed in classes. No visitor under the age of 12 will be allowed in the school without the permission of the building principal. All visitors are required to follow handbook rules or they will be asked to leave the campus. This is subject to change to accommodate the national pandemic COVID-19. Due to COVID-19, please refer to the Solen School District health and safety plan regarding during the COVID-19 pandemic.

## XVIII. Automobile and Motorcycle Regulations

The Solen School District # 3 discourages students from driving motor vehicles to school. However, recognizing that some activities might be facilitated by the use of these vehicles, we shall use the following procedures, to recognize the student's use of the motor vehicle:

1. All students driving motor vehicles to school must agree to follow school rules governing the use of motor vehicles while under the jurisdiction of the school.
  - Students must **have a valid driver's license** and **provide** information regarding **insurance** on the vehicle.
  - Students will **not transport** other students to and from school without written permission from those students' parents/guardians.
  - Students **will turn keys** into the office upon arrival at the school.
2. The motor vehicle must be left at school from the time of arrival to dismissal except by permission from the principal or superintendent.
3. Speed limit in school boundaries is 15 miles per hour.
4. All students involved in school activities must ride on transportation furnished by the school when participating in that activity.
5. Students are permitted to park on school premises as a matter of privilege, not of right.

The Solen School District # 3 retains authority to conduct routine patrols of student parking lots, including regulating driving and parking, the interiors of student(s) vehicles may be inspected whenever a school authority has reasonable suspicion to believe that illegal or unauthorized materials are contained inside.

Such patrols and inspections may be conducted without notice, without student consent, and without a search warrant. Students who abuse the driving privilege may be referred to the police.

## XIX. Activities

### A. Extra-curricular activities, organizations & clubs

The following are extracurricular NDHSAA-sanctioned activities which are offered to our students: cross-country, football, volleyball, basketball, softball, track and field.

The following is a list of organizations or clubs that students may wish to join. Rules and regulations governing these groups can be obtained from the advisor:

Student Council, Culture Club, Yearbook/Multi-Media, and Nightlights.

**Students who use school transportation must return in the same vehicle unless properly excused by the person in charge of the trip after written permission from a parent/guardian.**

## XX. Academic Extra-Curricular Eligibility

### A. High School and Junior High

These regulations are in accordance with the North Dakota high school activities association.

*High school students (9-12) must be enrolled in and passing four (4) credited classes to continue participation in extracurricular activities. Jr. High students must be passing all six (6) classes when competing in a high school JV/Varsity sport. Jr. High students must be passing five (5) classes when participating in a Jr. High sport.*

Sport Season	Eligibility Check	Ineligibly Window
Fall	End of previous school year	3 weeks from first attended
Winter	End of Trimester 1	practice
Spring	End of Trimester 2	

Grade assessments will be made each on each Monday by 8:00am of the school day and finalized by 4:00pm that day. If there is a holiday or meeting after school, finalized grades will be determined Tuesday by 8:00am. The student will be notified Monday morning and/or afternoon of every week of the ineligibility. Grade assessments are determined by using the cumulative grade that is computed from day one of the class each trimester.

Students who are placed on the weekly ineligibility lists are ineligible from Monday through Sunday of the current week. It is the responsibility of the student to request make-up work. Students who are participating in extracurricular activities are expected to have assignments completed on their return to class. It is the student's responsibility to check with teachers well in advance of being absent to secure assignments and directions.

Courses considered for eligibility are subjects that are taken daily for five days a week and have a credit value of one-half unit per trimester. Courses taken for dual credit will follow United Tribes Technical College and/or Sitting Bull College schedule.

The courses that a student uses for eligibility purposes must have been taken and earned at Solen Public School District #3 (Cannon Ball Elementary/Solen High School). Courses taken at United Tribes Technical College and/or Sitting Bull College are considered courses taken at Solen Public School District (Cannon Ball Elementary/Solen High School). Courses taken through the division of independent study or earned through another school district (i.e. Online Course) may not be counted for eligibility purposes.

#### **Failure to pass four (4) classes by:**

**Students who fail to report for assigned detention/in-school suspension will be ineligible to participate in extracurricular activities until the detention/suspension is cleared.**

### B. Elementary

As a student at Cannonball Elementary School, those who wish to participate in extra-curricular activities must adhere to certain academic and behavioral requirements. Students grades will be checked every Monday at 8:00 a.m. Students who do not meet the academic requirements will be given until 4:00 p.m. to meet them. Those that cannot meet the academic requirements will be ruled ineligible the until the next grade check. Students who receive a major write up will also be deemed ineligible Academic Requirements-Student showing a 1 or 2 due to missing work and/or student has more than one F in a non-standards-based class will be deemed ineligible. Behavioral Requirements-Student cannot have any major write ups. If a student does receive a major write up, he/she will be deemed ineligible for a week (5 school days).

## **XXI. Extra-Curricular Activities**

### **A. Attendance**

School activities on a day of absence: a student must be present and *on time* for school for a full day on the day of an extracurricular event in which he/she wishes to participate. (Students who are tardy and/or absent on a Friday will not be eligible to participate on Friday or Saturday).

Students who have to leave the school during the day must personally check with the athletic director and/or the principal to remain eligible to participate in extracurricular activities for the day. Exceptions may be granted for medical appointments or family emergencies upon approval of the athletic director and principal.

For student's participating in distance learning, they must adhere to rules and regulations laid out from NDHSA and Solen High School.

## **XXII. Courtesy to the National Anthem, the Flag and the Pledge of Allegiance**

If the national anthem is played while the United States flag is displayed, everyone present should face it, take his/her head gear off, and show the proper respect in the same manner as when the flag is raised or lowered or passes by in a parade. If the flag is not displayed, all persons should stand at attention facing the music. The same respect should be rendered during an honor song.

## **XXIII. Courtesy to the School Song**

Courtesy demands that you stand at respectful attention for your own school song and for other schools' loyalty songs.

## **XXIV. Banned Substance Use**

The use of or possession of tobacco, alcohol, or any other controlled substance as defined by the North Dakota law is prohibited. Any student/co-curricular participant in violation of the foregoing shall be suspended from participation in interscholastic contests or activities for a minimum period of six consecutive school weeks for the first offense and a period of 18 consecutive school weeks for any subsequent offense. The student will not be allowed to participate in any of the following until removed from ineligibility status:

1. Participate in any athletic event.
2. Ride on any bus to or from any extra-curricular activity.
3. Participate in any extra-curricular music competition.
4. Participate in any school club activity.
5. Participate in prom.
6. Participate in any other activity deemed extra-curricular by the administration

**Second offense:** students will not be allowed to be in “attendance at” any extra-curricular activity after their second offense in one school year. The suspension from participation in and “attendance at” all extra-curricular activities is for an additional eighteen weeks.

The school principal shall immediately investigate any alleged violation of the alcohol, tobacco and controlled substance rule, that is made known to the administrator and if the administrator finds cause (such as a written statement from an adult) to believe that this rule has been violated, he shall give the student notice as provided below.

The period of suspension shall begin from the date and the time notification is given to the student by the school administrator. The student shall have the right to a hearing within three school days after such notification. During the period between notification and hearing, the suspension may be deferred for good cause shown. Such hearing shall be on notice and conducted by a school superintendent. The student shall have the right to be present at the hearing and offer such testimony and other evidence the student deems material. Such student shall also have the right to confront and question the person or persons who complained of such student’s violation of this NDHSAA rule. If the ruling of the hearing officer does not satisfy the student, such student shall have the right to have the ruling reviewed by the local board of education.

## **XXV. Summer Infractions**

Summer infractions will carry a six-week suspension from the date and time notification is given to the student by the school administrator. Summer infractions shall not factor into a student’s violation when determining multiple infractions during a school year unless the infraction’s six-week penalty overlaps with the beginning of a fall sport such as cross-country and volleyball. (Summer infractions could occur from the last contest in the spring until the date of the first practice for the fall sport season). Multiple summer infractions will result in a maximum suspension of two contests per infraction.

Any six-week suspension must include a suspension of at least two contests. If a student does not miss at least two contests in six weeks, his/her suspension will last until two contests are missed.

## **XXVI. Social Activity**

**A. The sponsoring organization must obtain the permission of their advisor and administration to schedule any social activity and all social activities must be adequately chaperoned by school personnel.**

7. Doors will be locked one-half hour after the social activity has been scheduled to begin or at the advisor’s discretion.
8. Ninth grade and above who are enrolled in Solen High School are permitted to attend the social event with a guest. The guest must be accompanied by a Solen High School student and must be at least in the ninth grade and not be over the age of 20 in order to be permitted into any social event, unless the principal grants permission otherwise.
9. All activity at school social events will be contained to the specific areas assigned for the event. Students leaving the building after the doors are locked will not be permitted to return.
10. All students attending social activities must be academically eligible.

**B. The above rules apply to all social activities associated with Solen Public School District #3 (Cannon Ball Elementary/Solen High School). The following are events, which Solen Public School District #3 (Cannon Ball Elementary/Solen High School) has been involved with in the past:**

1. Prom

- This event is sponsored by the junior class and is held in April or early May. All Solen/Cannon Ball High School students may invite an approved guest to prom. Note: there may be some social events that are for Solen/Cannon Ball High School students only.

## **XXVII. Behavior and School Rules**

### **A. Appointments**

Students who have an appointment during school hours must have a parent and/or guardian give **prior notification to the school office**. Upon returning from the appointment the student must check with the office to receive a make-up slip, and then return to their scheduled class. **Failure to comply with these procedures will result in an unexcused absence.**

### **B. Attendance Policy Guidelines**

1. Parents or guardian are to call 701-445-3331 /701-854-3341 by **8:10 a.m.** On the day, the student is absent to notify the office of the absence. If a student knows in advance that they will be absent from school, a parent/guardian needs to call the school or send a note with the student prior to the day they will be absent (specific day and time if it is an appointment). **If a parent/guardian fails to call the school to notify them of his/her child's absence, the child will be marked as unexcused until verbal or written notice is given (must be given within 3 days of the absence) whereby the absence will be changed to excused.**
2. Students must check out at the main office (with parental permission) before leaving the school building, or it will be an unexcused absence.
3. When a student is absent (excused), time allowed for make-up work is the same as the number of days missed plus one. Exception to this rule would be students who are involved in a student function. Students involved in a school function are responsible for seeking assignments at least one day prior to leaving for the activity. Assignments incurred during an absence for a school function are due the day the student returns to school; additional time to complete assignments incurred during an absence related to a school function must be sought and received directly from the teacher.
4. When a student is absent (unexcused for a period of five (5) days or less), the work assigned in the class must be made up at the discretion of the classroom teachers.
5. If a student is less than ten (10) minutes late to class, they will be counted tardy. If a student is absent for ten (10) minutes or more from a class they will be counted absent for the period. If a student is in the building and decides not to attend class that will become an unexcused absence for "skipping."
6. Students participating in school functions will be considered present for that class/day. Seniors may receive two days for a college visitation (c) and/or two days for job shadowing (js), granting no more than two days total of a c or js visit per school year. (*note: each student must see the guidance counselor and turn form into principal's office before permission is granted for a c or js visit.*) Students leaving on school-sponsored trips must present lessons completed in advance to each teacher before departure. This means that assignments for the period of absence must be received in advance.

7. Students who wish to participate in any school function must be present in school on the day of that particular function for the full day.
8. In-school suspensions will not count as an absence.
9. Out of school suspensions will count as days of unexcused absence.
10. The teacher's power school file is the official record for attendance. Teachers will keep the office records up to date by entering attendance through power school. Power school attendance is the office's record when sending attendance letters to parents/guardian.

### III. Attendance Policy (Board of Education)

The school board recognizes that class attendance and participation are important parts of the educational development of a student. Grading of a student based on test results alone may not serve to properly motivate a student to educational excellence nor be a proper indication of the skill, which he/she has achieved, in any particular course. Class attendance is an indication of effort and effort is a trait worthy of development by the educational process. The course in which a student is enrolled must have been attended a sufficient number of times to insure class participation and exhibit knowledge of the subject matter in class before the student has been minimally educated sufficiently to be passed to the next grade level.

Accordingly, the board considers it necessary that an absentee policy be established to encourage the total education of the student in the district. Therefore, the following policy is established:

When a student has acquired an 11<sup>th</sup> absence per trimester, the result may be loss of credit for that class.

**The following procedures will be incorporated to implement the above policy:**

1. The principal or designee will send a letter of notification of absence to the parent/guardian after the 3<sup>rd</sup> absence in the class; after the 5<sup>th</sup> absence the school will file for truancy with SRST juvenile court.
2. **When a student has acquired 11 unexcused absences, it is possible that the student may not receive credit or may receive an unsatisfactory grade.** Absences that could be waived within those 11 unexcused absences may include illness, hospitalization, medical appointment, religious observance, or death in the family if the student's parent/guardian failed to give notice of the absence within three days.
3. The attendance committee may grant exceptions policy. The student must appeal in writing to the principal within ten (10) school days of the time the student reached the no credit status. The principal shall notify the student of the time and place of the appeal hearing not less than three (3) school days prior to the hearing. The principal shall notify the student of his/her right to present evidence and testimony on his/her own behalf and to be accompanied at the hearing by his/her parents and/or counselor if he/she so wishes. The principal shall issue the decision of the attendance committee in writing within five days of the date of the hearing.
4. The student may appeal the decision of the attendance committee to the school board by written notice to the superintendent within ten (10) days of the issuance of the committee's decision. The student shall receive at least three (3) days' notice of the time and place of his/her hearing. At such hearing, the student should be accompanied by his/her parents and/or counsel.
5. In the event that a student files an appeal with the school board, the principal shall notify the teacher of the course for which the student's credit is being denied. The teacher shall then prepare and present to the school board a subjective evaluation of the student in the class for which denial of credit is being considered.



6. It shall be appropriate to consider the reasons for the students' absences and/or tardiness during the appeal process.

## **IV. Tardy Policy**

If a student arrives tardy for a class, the student will be allowed into class with a pass from the office. If a student is more than 10 minutes late for a class, the student will then be considered absent from that class. Students who have been detained in the office or by a teacher should ask for an admit slip from the person who detained the student before going to the next class in order for the tardy not to be counted. All tardies will count on an accumulative basis, not period based. All students will start with a fresh slate each trimester.

Students who have to leave class early will not be charged a tardy. These students will be charged an early-out. An early-out is when a student has turned in an excuse slip to the main office and has to leave the class early for an appointment. If it is within the last ten minutes of class, the early-out will be charged. If it is more than ten minutes, an absence will be charged to the student. Students must turn in a parental notice to the main office before the student will be allowed to leave.

## **V. Behavior Policy (Board of Education)**

The behavioral climate in the Solen Public School System will be mutually established and maintained by parents, students, teachers, administration and the school board. This climate will be enhanced through the implementation of procedures to effectively ensure that every person will be treated with dignity and respect. The procedures will be just, flexible and in the best interest of the students and the school community.

## **VI. Behavioral Guidelines for Students**

Expectations: students in Solen Public School District #3 (Cannon Ball Elementary/Solen High School) shall demonstrate good citizenship according to the guidelines listed below:

1. Demonstrate commitment – students are expected to attend school regularly and take the initiative to actively pursue opportunities available within the school environment (curricular and co-curricular). Students are expected to complete all assignments in a timely manner.
2. Cooperate with other people – students are expected to be polite, treat others with respect, acknowledge and respect others, deal with disagreements maturely, and encourage others to do their best.
3. Manage themselves - students are expected to do what is right. In order to be self-directed learners, students must remember that they are accountable for their own decisions.
4. Respect the rights and property of others – students are expected to exhibit behavior that ensures the safety and well-being of everyone in the Solen/Cannon Ball Public School system. The property of the school district and others is to be respected.

### **A. In the Classroom**

Students are expected to follow school and classroom rules. Teachers will clearly communicate school and classroom expectations.

### **B. Halls, Lunchrooms, Outside Areas & Buses**

Students will behave in a way that respects the physical safety and emotional security of themselves and others. Therefore, no students will be allowed to run in the halls, engage in cruel teasing or behave in any manner that might harm another person. **Bullying or harassment of any kind will not be tolerated and can lead to suspension or even expulsion from school if a continuing pattern is established.**

## VII. Closed Campus

Solen Public School District #3 (Cannon Ball Elementary/Solen High School) has a closed campus for all students. **No student** will be allowed to check out and leave campus for any amount of time unless checking out for an appointment that has been validated by a parent/guardian.

For the purpose of defining the high school campus boundary lines, the high school campus boundary will include:

1. On the north side of school, the road running east-west
2. On the east side, the road running north and south to the parking lot
3. On the south side, the parking lot on the south side of the road
4. On the west side, the grass area to the fence.

## VIII. School Sponsored Spectator Events

Students (and community members) are expected to provide positive support for the participants at school sponsored spectator events. Positive support is accomplished by:

1. focusing attention on the event
2. applauding appropriately
3. showing respect during the national anthem / school song
4. using proper decorum during intermissions
5. practicing sportsmanship to other teams and fans
6. showing restraint to officials when disagreeing with calls

If the guidelines listed above are not adhered to, school officials have the right to prohibit the spectator from attending future events.

## IX. Violations

The following are student behaviors that violate Solen Public School policy when they occur at school or during school sponsored activities. This list is not intended to be all-inclusive but to give examples of inappropriate conduct. Students may be reprimanded for any of the following:

1. the possession, transmission and/or use of tobacco, drugs or alcohol
2. insolence, disrespect or insubordination
3. the use of inappropriate language/gestures
4. fighting
5. inappropriate displays of affection
6. leaving a classroom or leaving school without permission
7. class tardiness or truancy
8. vandalizing, damaging or stealing school or private property
9. threatening, intimidating or causing bodily harm to any person
10. cheating
11. disruption

When violations occur, the student will meet with the teacher or supervisor to discuss what may be causing the behavior problem. If needed, the principal and a parent/guardian may also be asked to attend the meeting.

## **X. Beverage Containers**

No glass bottles, open cans and/or plastic bottles are allowed on the school property. Please use trash receptacles provided.

## **XI. Students Under the Influence (FHCF)**

If any school personnel suspects that a student is under the influence of alcohol or illicit drugs, he or she will notify the principal or his/her designee immediately. The principal or his/her designee, upon notification to the superintendent, will confront the student.

If it is determined that the student is under the influence, the superintendent will follow the procedures cited in the section students in possession of alcohol/illicit drugs.

If the repetitive nature of the problem cannot be determined, the parents or guardian should be called immediately and a conference scheduled within two (2) working days. The conference may include the superintendent, principal, counselor, reporting staff member, student and the parent or guardian of the student.

In the conference, the following issues will be addressed:

1. The circumstances (behaviors), which necessitated the conference.
2. A review of information from both the student and the parent/guardian to aid in determining the possible reason(s) for the student's behavior.
3. Possible referral sources within the school and community, both medical and counseling, that may help the parent/guardian and student deal with the behavior exhibited. The Counselor will conduct follow-up.

## XII. Bus Rules

Students riding buses are expected to conduct themselves in an orderly fashion. The driver is in full charge of the bus and the students riding it.

The driver has the same authority as a teacher and the students are expected to comply promptly with their requests. A bus driver has the authority to suspend a student from riding the bus for up to one day if the student refuses to comply with the driver's directions. For flagrant disregard of a bus driver's directions or conduct which endangers the student or other students on the bus, a student may be suspended for 2-5 days upon concurrence of the principal. Parents will be responsible for transporting their child to school if he/she is given a bus suspension.

It is the student's responsibility to meet the bus on time. If the buses do not run because of inclement weather, rural students will not be counted absent. If bus service is not needed for a rural student on a certain day, it is the responsibility of the parent/guardian or student, if old enough, to inform the bus driver as soon as possible. Flagrant violation of these rules will result in the suspension of the student from the bus roster.

If a student misses the bus, it is the parent/guardian's responsibility to bring his/her child(ren) to school. There will be no late bus pick-up. The buses will run the regular run in the morning, the close of classes, and a late run to accommodate after-school programs such as night lights, tutoring, sports activities, and other school activities.

## XIII. Cellular Phones

The Solen Public School District #3 (Cannon Ball Elementary/Solen High School) prohibits the use of all personal communication devices that disrupt the learning environment. At Cannon Ball Elementary School, students shall be allowed to possess such devices; however, such devices must be turned into the classroom teacher until the end of the day. At Solen High School, devices that disrupt the learning environment may lead to the loss of the device or cellphone restrictions school wide. An administrator, teacher, or adult of authority will be able to confiscate the phone at any time during the day.

The principal may grant use during classroom instruction upon teacher request.

Documentation on confiscated electronic devices will take place in the school office at the time the electronic device is brought to the office. The student's parent, guardian, or non-student owner may pick up the device from the school after showing proof of ownership. If, at the end of the school year, the device is not claimed, the student's parent, guardian and/or company whose name and address appear on the device shall be given 30 days prior notice of the district's intent to dispose of the device. **The district shall not assume responsibility for these items if they are damaged, lost, or stolen.**

## XIV. Office Telephone Use

Students will not be permitted to use the telephone except for business or emergency use and **only after they receive permission from the building principal.**

## **XV. Discipline Policy**

Students in our schools are expected to act in such 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.

Attention is specifically called to behavior on school buses, at lockers, in the lavatories, in the gymnasium, in the corridors, in the cafeteria, in the area outside the school, in the library, in school offices, and in the classrooms.

Students may exercise their right to freedom of expression through speech, assembly, petition, and other lawful means. The exercise of this right may not interfere with the rights of others.

Freedom of expression may not be utilized to present material which tends to be vulgar or slanderous, or to defame character, or to advocate violation of federal, state, or local laws, or official school policies, rules, and regulations.

The rights and limits of students respecting freedom of speech press, and assembly shall be in accord with the first amendment of the United States constitution.

In each instance in which an employee acts to help students conduct themselves properly, emphasis shall be placed upon the growth of students in ability to discipline themselves.

The authority of schools extends beyond the building to the school grounds and to all places where school-sponsored activities are held, including athletic contests and such other activities as has a direct and immediate effect either on school discipline or on the general safety and welfare of students and staff.

Students shall have the right to receive annually at the opening of school, a publication listing the rules and regulations to which they are subject. Students have the responsibility to know and respect the rules and regulations of the school.

Classroom teachers will handle minor violations of student behavior. Procedures that can be utilized are conference in private, guidance referral and parent contact. Minor violations include, but are not limited to: unpreparedness for class, inappropriate language, insubordination, minor class disruptions, and cheating/plagiarism. Repeated violations may be referred to the administration for further disciplinary action. If possible, parent contact by phone, mail or requested home visit by teacher or counselor should be made prior to disciplinary referral to administration.

Any other student behavior that is considered by the school administration to be of major disciplinary consequence, including but not limited to: major class disruption, leaving class without permission, skipping all or part of the day, profanity (foul language), obscene gestures, excessive horseplay, physical abuse of self or others, creating a safety hazard, vandalism, stealing, pulling fire alarms, kissing or cuddling, and instigating or participating in a fight, may be dealt with by one or more of the following disciplinary measures:

1. Warning
2. A grade of "0"
3. Notification of parents/guardians
4. Parent conference
5. Referral to counseling

6. Referral for outside services
7. Loss of privileges
8. In-school suspension
9. Out-of-school suspension
10. Request for expulsion

Violations will be dealt with on an individual basis and disciplinary measures applied after an investigation of the incident/referral.

Most discipline issues can and should be dealt with by the classroom teacher and in that spirit the school board and the administration offers teachers wide latitude in the conduct of their classrooms. The occasion for sending students out of the classroom for misbehavior should be rare, but it is acknowledged that for the sake of the other students, a student may be removed from the classroom to ensure the integrity of the classroom atmosphere.

School administrators may deem more serious breaches of discipline grounds for suspending a student out of school for periods of 1-5 days.

## **XVI. Expulsion**

A student shall be expelled for the school term and not be reinstated unless and providing that:

1. The student satisfies the superintendent of his/her personal contrition;
2. The student satisfies the superintendent of his/her personal resolve not to repeat any comparable acts;
3. The parent/guardians demonstrate to the superintendent that an appropriate combination of special home precautions, home instructional programs, professional counseling, and home discipline programs of an appropriate design and duration have been taken to assure the superintendent of the absence of opportunity and inclination on the part of their child to repeat any comparable act; and
4. The parent/guardians assure the superintendent of their profound resolve to prevent their child from committing repeat or comparable acts.

For purpose of this policy, the school term is a school year. If the superintendent determines that the conditions for reinstatement have not been fulfilled before the beginning of any following school term, the superintendent will make a recommendation to the board and initiate proceedings for expulsion in the following term.

Referral of a student to the principal's office is used as a last resort after teachers have used other appropriate preventive and correctives measures. Once a student reaches the principal's office, the seriousness of the situation speaks for itself. Students are encouraged to obey all rules and policies (*FHDA-R/FHDA – E1*) and avoid such disciplinary action.

The principal's office will take action deemed necessary or call parents for a conference. In some instances, disciplinary action may require assigned time in detention or, in severe cases, the suspension of the student for a period of up to five (5) days. It is understood that during an out-of-school suspension, the student may not attend classes, participate in school activities or visit the school grounds. In extreme disciplinary cases, the principal's office may recommend to the superintendent and the Solen School Board **that the student be expelled from school.**

## **A. Suspension or Expulsion of Students with Disabilities**

Suspension or expulsion of students with disabilities must comply with the provisions of the individuals with disabilities education act.

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

Copies of these rules shall be distributed to each student.

## **XVII. Guidelines for Suspension and Expulsion**

Suspension involves either in-school or the dismissal of a pupil from school classes, buildings, and grounds. Suspension is indicated only in grave situations, and shall not be for more than ten (10) days in the case of out-of-school suspensions. The parent(s) of the pupil are to be notified promptly by the school principal that a suspension has been issued.

The authority to initially determine whether or not a student shall be suspended, for a period not to exceed ten (10) days, rests with the principal and can be exercised after the student is given:

1. Oral or written notice of the charges against him/her.
2. An explanation of the evidence against him/her.
3. An opportunity to present his/her side of the story.
4. An opportunity for the parent(s) to participate.

There need be no delay between the time notice is given and the conduct of the above procedure. In those cases where a student's presence poses a continuing danger to persons or property or any on-going threat of disrupting the educational process, the student may be immediately removed.

Expulsion of a pupil from school is under the authority of the school board, and, except when the behavior is bringing a firearm to school, may not extend beyond the end of the termination of the current school year. Such action would follow only after suspension and following a conference of the parent(s) and the administration. If the pupil involved has a disability, a determination that the conduct is not a manifestation of the disability must precede the recommendation for expulsion.

The responsibility of the school does not end with expulsion. The guidance department shall notify other appropriate agencies when a student has been expelled. A file shall be kept and an effort made to assist the student.

### **1. Pre-hearing notice to student**

- The student and the student's parent shall be provided with the following notices, prior to the hearing outlined below:

## 2. Notice of charges

- The specific charges against the student shall be stated clearly enough for the student and the parent to understand the grounds of the charge and to be able to prepare a defense.

## 3. Notice of nature of testimony and witness

- The nature of the evidence against the student, and the names of any witnesses whose testimony may be used against the student, shall be provided.

## 4. Notice of hearing

- The date of the hearing, which shall be within a reasonable time not to exceed ten (10) days, if the student is currently under suspension, unless a postponement is requested or agreed to by the parent, shall be provided.

## 5. Notice of right to present evidence

- The right to present witnesses or documentary evidence to rebut the charges against the student shall be explained.

## 6. Notice of right to adult representation

- The right to be represented and/or assisted at the hearing by a lawyer or other adult shall be explained. A parent or guardian who is unable to attend the hearing may provide written designation of another adult to assist the student in the parent's absence.

# **XVIII. Suspending Students with Disabilities**

Students with disabilities may be suspended for a period not to exceed ten (10) school days for any conduct, which would warrant suspension for a student who does not have a disability. The suspension may be affected immediately upon the decision of the designated building administrator who will review the file to ascertain if the individual education plan (IEP) addresses the behavior in question. If the IEP does address the behavior, the specified procedure should be followed.

The administration must make and document efforts to contact and notify the parent prior to the suspension. A student with disabilities may be suspended for additional periods of up to ten (10) school days for separate acts of misconduct as long as such removals do not constitute a pattern or change in placement.

Educational services must be provided in cases of removals (suspensions) in excess of ten (10) days in a school year. The services are to be provided to the extent determined necessary to enable the student to appropriately progress in the general curriculum and appropriately advance toward achieving the goals of his/her IEP.

The principal, in consultation with the student's special education teacher, shall make the service determination. Beginning with the eleventh (11th) day of suspension in a school year, the school must also comply with the provisions of regulation 300.520 of the individuals with disabilities education act (idea).

If suspensions in excess of ten (10) days in a school year constitute a change of placement as defined in idea regulation 300.519 (b), then a manifestation determination review (regulation 300.523 (a), must be conducted before a suspension is implemented. In any suspension, the student's parent or representative shall be given oral or written notice of the charges, an explanation of the evidence supporting the charges, and an informal opportunity to respond to and rebut the charges.



## **XIX. Expulsion of Students with Disabilities**

An expulsion may be affected for a student with a disability for any conduct, which would warrant expulsion for a student without a disability. Prior to expulsion, the individual education plan (IEP) team will meet to determine whether the misbehavior is a manifestation of the disability based on the criteria of regulation 300.523 (c) of idea. If the IEP team determines that the misbehavior is a manifestation of the disability, the student may not be expelled.

The district has an obligation to provide educational services during the time of expulsion. The manner in which the services are provided will be determined by the IEP team.

A student with a disability must continue to receive a free appropriate public education whether or not they are expelled. A student with a disability for whom expulsion has been recommended is entitled to all the due process rights available to a student without a disability for whom expulsion has been recommended. In addition, the student with a disability is entitled to all the due process procedures available to a student with a disability under the individual disabilities education act and applicable state policies and procedures.

A special education student who is a danger to self or others or who has carried a weapon as defined by idea regulations to school or to a school function may be removed from his or her current placement. Such a student shall be placed in an appropriate interim alternative placement in accordance with the idea regulation 300.521-529.

## **XX. Conducting Hearing for Expulsion**

### **A. Nature of the Hearing**

The hearing is not a court proceeding and should not be referred to or conducted as such. The administrative hearing will be conducted without the rigidity of court hearings, and there are no specific rules of evidence or procedure that must be followed. The thrust of the entire hearing is directed toward a determination of whether the reasons offered for the proposed suspension or expulsion are supported by substantial evidence. The evidence offered at the hearing will be directed toward attaining the truth, and each situation may call for a slightly different approach. The key to conducting a successful hearing is to search for the truth through reasonableness and fairness.

### **B. The Hearing Official**

The student is entitled to an impartial hearer of facts. The principal may conduct the hearing unless he/she is biased or prejudiced against the student and the student can subsequently establish that this bias or prejudice will deprive him/her of a fair hearing. The principal may conduct hearings if his/her acts, judgments, or decisions are not at issue, i.e., if the confrontation or the incident at issue did not involve the principal directly. If the principal is not qualified under this rule, the superintendent or other administrative official(s) will then be called upon to conduct the hearing. If in doubt about whether the principal's acts, judgments, or decisions are at issue or if the principal cannot conduct a fair and impartial hearing, the principal will not conduct the hearing. The entire thrust of having a person conduct a hearing is to have someone conduct it who is impartial and can render a fair decision.

### **C. Representation of the Student**

There is no definite requirement that the student must have representation, other than his parents/guardians at the hearing; however, if the student or his/her parent(s) request that he/she be represented by an attorney, his/her parents, or another adult, the request will be granted. The school will attempt to involve the parents in the disciplinary proceedings from the outset. The school may refrain from making its presentation through an attorney if the student is not represented by counsel.

### **D. Recording of the Hearing**

A record of the hearing will be made to substantiate that the required elements of procedural due process were afforded the student. This can be accomplished by several methods.

Tape recorder—the preferred method at the building level is to tape the entire proceeding. The presence of a tape recorder has a constructive effect on the decorum of the hearing; however, its presence can also create an atmosphere so formal that the participants may be reluctant to discuss the issue in terms that will result in a resolution of the problem.

Secretary—a second method is to have a secretary or other member of the staff keep, as nearly as possible, an accurate record of the proceedings.

Court reporter—if the expulsion should reach the level of the school board, the business manager will act as recorder.

When any of these methods are used, the student and his/her parent(s) or other representative will be so advised. All evidence that is introduced in the form of written documents will be marked so as to identify the origin and order of introduction. Examples of this would be, "school exhibit 1, 2, 3," etc., and "student exhibit 1, 2, 3," etc.

The tape recordings or notes need not be transcribed unless an appeal has been perfected to the next level or a suit filed. When the appeal is to the school board, it is generally not necessary to transcribe the recordings because the board can simply listen to the tapes. All records of a hearing will be kept for several years or until the threat of a lawsuit has passed.

#### **E. Open or Closed Hearing**

Since the North Dakota open meetings law is not applicable to hearings before school administrators, such hearings will be closed to the public. Any appeal heard by the school board is subject to the family rights and privacy act (FERPA) and shall be closed unless the parents waives their rights under FERPA in writing.

#### **F. Witness in the Room**

At the request of the school representative or the student or his/her parents, witnesses may be excluded from the room while the others are offering testimony. The hearing officer will make the suggestion at the beginning of the hearing, before evidence is presented, that if either side wishes to have witnesses excluded from the room, it may do so. At no time may the student or his/her parent or representative be excluded from the room.

#### **G. Cross Examination**

The hearing officer will permit cross-examination in order to reach the truth or to otherwise conduct a fair hearing. If in doubt as to whether cross examination is necessary, the hearing officer will permit it; to do otherwise, is to invite litigation. If one side is permitted to cross-examine the witnesses of the other, the opposing side will have the same privilege.

#### **H. Sworn Witnesses**

If a notary public or other officer capable of taking oaths is available, witnesses will be sworn before offering testimony.

**I. Substantial Evidence**

If, at the conclusion of the hearing, the reasons given for the proposed expulsion are supported by the evidence offered at the hearing, the student may be expelled for the length of the school term.

Frequently, agreement between the administrator, student and his/her parents can be reached as to the student's future conduct at school; or, as an alternative, the student may transfer to a special program or school. The action of the student does not have to be proven beyond a reasonable doubt as in a criminal trial, but the action must be supported by substantial evidence. There must be evidence presented upon which the hearing officer can establish that the student did do the alleged acts. In determining whether there is substantial evidence to support a finding of misconduct, the hearing officer may take into consideration only that evidence presented at the hearing. The hearing officer should not consider any rumor or other suggestion heard outside the room prior to and after the hearing.

**J. Making the Decision and Giving Notice to the Parties**

After the hearing officer decides whether to expel a student, the hearing officer has the responsibility of promptly informing the student, his or her parents, the student's counsel, or his or her representative, both orally and in writing, of the decision. The decision of the hearing officer will be sent by certified mail. If the student is found guilty of misconduct, the decision will specify the misconduct in sufficient detail to inform the student fully of what he or she was found to have done. The decision will be specific enough so that a reasonable person can be advised of the finding and know what to appeal to the next level. In informing the student of the decision, the hearing officer should also inform the parties of the right to appeal the decision to the next level and how to do so. The parents, the student's counsel, or his or her representative, will have ten (10) working days to appeal the decision of the hearing officer to the next level.

**K. Appeal to the School Board**

An appeal of the hearing officer's decision may be made to the school board (within ten (10) school days of the hearing officer's decision) and will be reviewed at the next regular meeting of the board, except when good cause is shown for calling a special meeting for that purpose. Since the expulsion will affect or become a part of the student's educational record, the appeal hearing before the board will be in executive session unless the parent/ guardian signs a written waiver of their rights under the family educational rights and privacy act.

## **XXI. Procedure for Conducting an Expulsion Hearing**

Recognizing that each situation may call for a slightly different method of presentation, the following guidelines are offered keeping in mind that the hearing itself should be kept informal so that the truth may be obtained and a fair and just result reached.

**A. Advise the parties of the procedures to be followed:**

Advise that the hearing is being recorded (if it is), and either side may request the witnesses be sent to another room and be called individually. Advise that no formal rules of evidence will be followed and that the hearing will be informal, as it is now a court proceeding. However, certain procedures may be established which will facilitate the conduct of the hearing. The business manager or secretary who is receiving the evidence and recording what is said should be identified as the person to whom exhibits and/or written evidence of materials are to be presented. The parties and their representative capacities should be identified for the record, prior to commencing the hearing

**B. State the reasons for the proposed expulsion**

The hearing officer should read the written reasons, which were mailed (preferably by certified mail) or otherwise delivered to the student, his or her parents, and his or her representative, which support the possible expulsion. This should be done to assure that the record will adequately reflect the reasons for the proposed expulsion, to substantiate that all parties had notice of the proposed reasons and possible punishment, and to narrow the issues.

**C. Allow the school's witness to testify and present evidence**

The witnesses for the administration then present their evidence, which supports the reasons given for the proposed expulsion. This may be done in any manner, which is conducive to reaching the truth and supports the reasons offered for possible expulsion. If requested, the names of the administration's witnesses, together with a general description of their testimony, must be given to the student in advance of the hearing so he or she can prepare an adequate defense.

**D. Allow student's witnesses to testify and present evidence**

The student and/or his or her representative should be given the opportunity to present witnesses and evidence to disprove the reasons offered by the school's witnesses.

**E. Allow concluding arguments**

At the conclusion of the presentation of witnesses by the school and the student, each side should be allowed the opportunity to make concluding remarks and arguments regarding the evidence that has been presented and the reasons for the expulsion.

**F. Making the decision**

The decision whether to expel may be made at the hearing, or may be made after the hearing officer has had time to review the evidence. If the decision is delayed, the hearing officer should announce a time at which the decision will be made and notify the student and the student's parent or representative of the decision at that time. When the hearing officer gives notification of the decision, the hearing officer should also inform the student and the student's parent or representative of the right to appeal the decision to the school board (within ten (10) school days) and the procedure for doing so. Students who are suspended or expelled will not be permitted on school property other than by appointment with administrators.

## **XXII. Suspension from extracurricular activities**

This method is used when a student's privilege to participate in all or certain extracurricular events is suspended for a fixed period of time or until certain conditions have been met. Solen High School follows the NDHSAA rules regarding athletic participation/eligibility.

## **XXIII. Classroom Rules**

Teachers will establish classroom rules and guidelines that allow for a safe and productive learning environment.

## **XXIV. Fighting**

Any student fighting on the school grounds will face suspension and may be charged with a misdemeanor under section 15-49-08 of the North Dakota Century Code.

## **XXV. Hall Movement**

Keep to the right in hallways and when entering or leaving rooms. Pupils are not to shove, run or loiter in the hallways. Holding hands may be permissible but public displays of affection (kissing, excessive hugging, etc.) Is not appropriate or permissible and shows evidence of immaturity. Parents will be contacted if necessary, to curb this behavior.

## **XXVI. Student Lockers**

Lockers and/or cubbies are available for all students. To get a locker, contact the administrative assistant and a locker and lock will be assigned. The lockers are the property of the school and are open to inspection periodically by the administration, which reserves the right to seize illegal substances or objects or obtain school property that is not properly checked out. Students will not be allowed to share lockers.

Lockers should be kept locked and in orderly fashion. Students are advised to leave valuables at home. The school will not be responsible for lost or stolen property from lockers. At the end of the school year, the student will be required to properly clean out the locker and return the lock. Also, any damage to lockers will be charged directly to the student.

## **XXVII. Searches of Lockers**

Provision for temporary storage and safety of students' personal possessions ordinarily used in their day-to-day school activities will be made in certain school buildings by such devices as lockers. These lockers may not be used to conceal weapons and/or illegal substances. Ownership and control of all lockers is retained by the school district. Access to all lockers under certain conditions is a legal right of school officials whose responsibility it is to protect the health, safety, and welfare of all students enrolled.

When the school principal or designee has a reasonable suspicion that one or more lockers may contain objects or substances in violation of school rules or which may be detrimental to the health, safety, or welfare of all students enrolled, the principal or designee may initiate a search of those lockers. The principal or designee and at least one other adult person will inspect the lockers in the presence of the student. If the student cannot be located, if the student refuses to open the locker, or if an emergency is deemed to exist, the principal or designee, accompanied by the adult witness, will open and inspect the student's locker.

The school district reserves the right to inspect any locker at any time for health and sanitary reasons. In the event a police officer or other law enforcement officer is to conduct a search of a student's locker, parents will be notified before any search is allowed and a search warrant requested, unless the student is 18 years of age or older, at which time, he or she may give consent. Dogs can be used in the search of a student's locker. The superintendent or designee will be notified prior to a search being conducted.

## **XXVIII. Searches of Students**

A search of a student's personal property or clothing should only be undertaken when there is a reasonable suspicion that the student is concealing an object(s) or substance(s) in violation of school rules or which may be detrimental to the health, safety or welfare of all students enrolled. The search shall be conducted in private by a school employee of the same sex as the student with a school employee present as a witness and only with the permission of the principal or designate.

In a situation demanding immediate attention, searches should be conducted immediately with the permission of the principal or designee. Strip searches will not be conducted.

In the event a police officer or other law enforcement is to conduct a search of the student's person, or possessions, a search warrant will be requested and parents notified before any search is allowed unless the student is 18 years of age or older, at which time, he or she may give consent. The superintendent or designee will be notified prior to a search being conducted.

## **XXIX. Zero Tolerance Gang Activity**

The Solen School District has in effect a zero-tolerance policy on gangs and gang-related activity. School property and events will be considered off-limits to all "gang" related activity, including gang-related dress and flashing "gang signs". Violations of this policy may result in disciplinary action, including suspension and expulsion.

## **XXX. Surveillance Cameras**

Surveillance cameras are in use at the Solen High School and Cannon Ball Elementary. Should a parent/guardian wish to view a tape in connection to an incident involving his/her child, the parent/guardian may arrange a viewing with the principal during normal business hours.

## **XXXI. Personal Items**

The student is responsible for retention of personal articles. Solen Public School District #3 (Cannon Ball Elementary/Solen High School) will not assume responsibility for the loss of student's personal articles (examples; Ipads/tablets, cell phones, headphones, money, jewelry, eye glasses, clothing, shoes, etc.).

## **XXXII. Cafeteria**

Unmannerly conduct, noise, waste of food, damage to utensils, etc., may result in one-to-one supervision of a student during his/her lunch period or assigning the student to eat in the in-school suspension room. Food is to be eaten in the lunchroom only. Students are to remain in the lunchroom or gym area during the lunch period. There is to be no loitering in the halls.

## **XXXIII. Parking**

The Solen Public School District has one parking lot for student parking at the high school, south of the school, located in front of the building. Students are to park in an orderly fashion so that all cars have easy access to the parking lot. If students are not parked appropriately the standing rock police department will be notified.

## **XXXIV. Student Dress**

All students are expected to dress appropriately. Cleanliness and neatness are an important part of good grooming.

The administration feels a responsibility to protect the school environment from distractions that may affect the learning process and from health and safety hazards that may be caused by inappropriate attire and grooming. If at any time in the opinion of the teacher or administration, the dress, hairstyle, or physical appearance of the individual student is such that it is unsafe, unhealthy or disruptive to the learning process, such student shall be subjected to an immediate disciplinary action. No alcohol, tobacco, drug and any other items that are vulgar, obscene, profane, or advocating prejudice may be worn on clothing.

Clothing styles or accessories, which are immodest, reveal a student's undergarments or are potentially dangerous may not be worn at school or to school sponsored activities. Shirts must have sleeves, a full front and back (no spaghetti straps, halters, tank-tops, etc.) Midriffs and backs must be covered. Shorts must cover legs to mid-thigh. Students wearing inappropriate clothing, based on the criteria listed above, may be asked to turn their clothing inside out, put on a t-shirt or sweatshirt, sent home to change or asked to remove objectionable accessories.

All students representing our school at out of town functions are expected to dress appropriately.

## **XXXV. Textbooks/iPads**

Textbooks are school property and each student is expected to take proper care of these textbooks. If loss or more-than-normal wear occurs, the student will be assessed damages up to full replacement costs.

iPads are school property and each student is expected to take proper care of their device. iPads are not allowed to leave the school building and need to be stored in their assigned charging station at the end of each day. Students are expected to use their assigned iPad for educational purposes. If this privilege is abused, the student may lose access to their device.

## **XXXVI. Theft and Vandalism**

The Solen School Board intends to maintain a theft and vandalism free environment.

In the building and furniture students are not allowed to write, carve on, or in any way mark the walls, furniture, and equipment. Do not place signs, posters, etc. on the walls or equipment unless you have permission from the administration beforehand. Students will be charged for damages they inflict.

When a student commits any offense of theft or vandalism on school property, or at any school sponsored event, an administrative hearing will be held on that student. The hearing will be held with the student and administrator to review and gather evidence to establish guilt or innocence of the student. The student has the right to have a parent at this meeting. *If evidence at the administrative hearing determines that the student is guilty:*

1. The student may be suspended out of school for no longer than 5 days and restitution required.
2. Additional violations may be brought before the school board and may bring extended suspensions or expulsions.

3. The student may be suspended from participation in extra-curricular activities for 3 weeks from the date of the hearing. A second offense may result in a 6-week suspension from activities. These penalties are for all activities, not just those covered by the North Dakota high school activities association.
4. Formal charges may be filed with the appropriate law enforcement agencies.

Restitution will be made to the individual or company involved

## **XXXVII. Weapons in the School**

It is the intention of the Solen School Board that the learning environment be safe, drug free and conducive to learning. The Solen School Board determines that possession and/or use of a weapon by a student is detrimental to the welfare and safety of the students and school personnel within the district.

No student will knowingly possess, handle, carry or transmit any weapon or dangerous objects, or look- a-likes, in any school building, on school grounds, in any school vehicle or at any school-sponsored activity. Such weapons include but are not limited to any knife, razor, ice pick, explosive, smoke bomb, incendiary device, gun (including pellet gun and BB gun), slingshot, bludgeon, brass or artificial knuckles of any kind, or any object that can reasonably be considered a weapon, dangerous instrument or look-alike.

Also, any object which has a school-related purpose that could be used to inflict harm on another person will be considered a weapon if the object is used in a threatening manner.

The first priority of the building administrator is to assure the safety of all persons in school or on school property. After addressing the safety concerns, the building administrator will determine if the student violated the weapons policy. When practical, the student's parent(s) or guardian(s) should be present when a student is questioned pursuant to this policy.

A student may be suspended immediately if the building administrator or designee determines:

1. The student knowingly violated the weapons policy.
2. The student had the ability to anticipate that the safety of others or the educational environment would be adversely affected by the student's conduct. In making this determination, the building administrator or designee may consider the age, intelligence, and behavioral history of the student.

After the student has been suspended, proceedings for the expulsion of the student shall be initiated immediately. As soon as practicable, the student's parent(s) or guardian(s) shall be notified of suspension, if they have not been so informed previously, and given notice of the time and place for an expulsion hearing.

In accordance with federal law, expulsion shall be for no less than one full calendar year for a student who violated the weapons policy by conduct involving a firearm. The superintendent may modify the length of such expulsion if individual circumstances warrant such modification. An exception to this policy may be made for students participating in an authorized extracurricular activity or team involving the supervised use of firearms.

## **XXXVIII. Laser Pointers/Lighters**

Students are prohibited from possessing or using laser pointers, lighters or other potentially dangerous items on school property or during school sponsored activities. Such items may be confiscated by a school employee and returned to the student's parent upon request.



## XXXIX. Hazardous or Disruptive Substances

The definition of dangerous instruments in policy is interpreted to include any potentially hazardous and or disruptive substance. A potentially hazardous or disruptive substance is defined as any substance, which if used properly or improperly, can cause potential harm to another's well-being, safety, and health or may disrupt the orderly daily schedule. Such substances include: pepper spray, smoke bombs, stink bombs, wildlife scents, fireworks, water balloons, and paint balls. The above list is not meant to be an all-inclusive list and because a substance is not included on the list does not prevent the administration from defining a product or substance as potentially hazardous or disruptive.

The possession or use of potentially hazardous and or disruptive substances on one's person, in one's locker, or backpack is prohibited in any school building, or school grounds, in any school vehicle or at any school-sponsored activity. Furthermore, this policy also includes the **misuse of** items such as scissors, knives, staplers, tools, or any other instrument commonly used on district property which may cause harm or injury to individuals or may cause physical damage to district or personal property. The misuse of aerosol sprays or products commonly used on district property which may cause bodily harm or injury, or the destruction of property will also be considered a hazardous and or disruptive substance.

The consequences for the possession or use of any substance deemed by the administration as potentially hazardous and/or disruptive may include any one or combination of the following to be determined on a case by case basis by the administration. Also, if any unforeseen circumstance should arise, which is not specifically identified in this policy but is related to this policy, the administration has the authority to use their discretion to determine the consequences deemed necessary for that circumstance.

1. Communication with parent/guardian.
2. In school or out of school suspension of up to 10 days.
3. Expulsion
4. Filing of a criminal complaint with the States Attorney.
  - Financial restitution.
  - Court assigned community service.

## XL. Accidents and Injuries

The supervisor will be required to file a report in the office for any accidents that may result in medical treatment or significant physical injury. Solen/Cannon Ball Public School District #3 does not participate in an accident or injury insurance program for students. However, it does participate in a supplemental accident/injury program through the North Dakota insurance reserve fund. Parents are solely responsible for the medical treatment of their children. As such, their insurance company or health services has primary responsibility for medical coverage. Anything not covered by the parents' insurance or health services may be submitted to NDIRF for possible coverage. Parents should request forms, when needed, from the business office. All injuries must be reported in a timely manner to school administration before claims will be considered.

## **XXI. General Chain of Command**

Please use the following as the general chain of command:

Teacher >>> Principal >>> Superintendent >>> School Board

Coach(es) >>> Athletic Director >>> Principal >>> Superintendent >>> School Board

Please see Solen Public Schools Athletic Department Communication Guide posted on the district website under “athletics”

## **XXII. Correspondence Courses**

Students wishing to take correspondence courses should contact the counselor. Certificates of completion must verify correspondence courses before credit is allowed.

## **XXIII. Eighteen-Year-Old Students**

All students will be expected to follow school regulations even if they are eighteen years of age or older. This policy will provide consistency and fair treatment to all students.

## **XXIV. Fire Drill Regulations**

When the fire buzzer sounds, all students should immediately stop work and leave the building at the direction of the teacher in charge. Instructions for passing from the rooms are to be posted in each room.

1. Remain calm
2. Staff members will have explained policies for escape at the beginning of the year.
3. Close doors and windows in classroom.
4. Leave the building single file.
5. Get out of the building in orderly manner & remain quiet.
6. Be alert so as not to cause or add to any confusion.

## **XXV. Tornado Drill Regulations**

When the tornado buzzer sounds (interrupted tone), all students should immediately stop work and move quickly in the direction the teacher requests. Students will move to the closest inner hallway away from windows, kneel, remove sharp objects from pockets and eye glasses, and cover heads with arms for protection against flying debris. The storage room, weight room, gym and locker rooms are all tornado protection areas in the high school building while interior rooms and hallways are protection areas at the elementary building. Students should vacate the gym and building addition (which houses the computer lab, library, and other rooms) at the elementary school for an interior hallway in the main school building during a tornado or drill. Students in upstairs classrooms at the elementary school should also move downstairs to the interior hallway by the kitchen and office during a tornado or drill.

## **XLVI. Foreign Exchange Students**

The Solen School Board reserves the right to limit the number of foreign exchange students admitted to the schools to three students. No diplomas will be granted for foreign exchange students, but they will be issued a “certificate of attendance” as an alternative.

## **XLVII. Grading Procedure**

### **A. Elementary School**

2. K-6 will use a Standards-Based Report Card for reading and mathematics. All other subject areas will utilize the grading scale listed below.
3. Report cards will be mailed out 3 times per year.

### **B. High School (Teachers shall use the following grading scale:**

A+	100 - 98	C	82 - 80
A	97 - 95	C -	79 - 77
A-	94 - 93	D+	76 - 75
B+	92 - 90	D	74 - 72
B	89 - 88	D-	71 - 70
B-	87 - 86	F	69 - 0
C+	85 - 83	N/C	no credit

## **XLVIII. Honor Roll**

The honor roll is based on the following criteria: highest honors (an honor roll) are awarded to those students who have earned a 93.00 percent average or better; honors (b honor roll) are accorded to those students whose average is between 86.00 and 92.99 percent; each student must be enrolled in a minimum of five academic core classes to be considered for the honor roll.

An honor roll will be selected and published for those students who demonstrate excellence in academic work. Selections are made each trimester.

## **XLIX. Report Cards**

The grading of report cards will follow standards-based practices at Cannon Ball Elementary. The grading of report cards at Solen High School is done on a percentage basis. A report card will be mailed to each student’s parents/guardians at the end of each trimester unless picked up at parent/teacher conferences.

## **L. Graduation Requirements**

The requirements for graduation from Solen/Cannon Ball High School shall be established in accordance with the Solen Public School District #3, North Dakota Century Code and the accreditation policies of the North Dakota Department of Public Instruction. All students, unless specified in an IEP or 504 plan, must earn a minimum of 22 credits for graduation including the following:

1. Four units of English/language arts from a sequence that includes literature, composition, and ~~speech~~
2. Three units of mathematics
3. Three units of science, including:
  - One unit of Physical Science
  - One unit of Biology
  - One unit of any other science or Two ½ units of any other science
4. Three units of social studies, including:
  - One unit of United States History
  - ½ unit of United States Government and ½ unit of Economics; or One unit of Problems of Democracy; and
  - One unit or two ½ units of any other social studies, which may include Civics, Civilization, Geography and History, Multicultural Studies, North Dakota Studies, Psychology, Sociology, And World History;
5. One unit of Physical Education:
  - One unit of Physical Education; or
  - B. ½ unit of Physical Education and ½ unit of health;
6. Three units of:
  - Foreign Languages;
  - Native American Languages;
  - Fine Arts (Music, Choir, Band, Art, Humanities); or
  - Career and technical education courses; and business/computer education.
7. Any five additional units of credit.

Note: each graduate will be required to have one credit of physical education that must be an active (gym related) physical education class, which also includes a weekly health class. Physical conditioning/weight training and lifetime sports will not be allowed as substitutes.

It is understood that some students will be involved in special and adaptive programs, successful completion of which will result in meeting the graduation requirements. Students are technically placed in classes according to the number of years they have attended school and the number of credits they have earned. All students are required to be enrolled in the necessary classes and attend a minimum of twelve trimesters of high school unless an application for early graduation has been submitted and approved.

If a student desires aid in the selection of his electives, he should see the counselor. Colleges vary as to entrance requirements and field of occupational interest. Check with the counselor to make sure you make the proper selection of courses to meet their requirements. Students must make arrangements with the instructors concerned and the counselor before changing or dropping courses. Students will have one week from the first day to drop a class. If a student chooses to drop a dual credit course, that student will be required to pay the tuition charges assigned.

No student may take any correspondence / summer school course in lieu of any courses offered by Solen/ Cannon Ball High School unless the student has failed the course previously and schedule conflicts make correspondence the only alternative. Permission is given at the discretion of the administration for any required or elective course the student wishes to enroll in. All correspondence course work taken will be at the student's own expense unless waived by the principal due to scheduling conflicts. All correspondence work must be completed by no later than May 15<sup>th</sup> of the school year to be counted on the transcript.

## **LI. Graduation Ceremony Dress Code**

All graduating students are required to dress appropriately for the Solen Public School District #3 (Cannon ball Elementary/Solen High School) graduation ceremony. Blue jeans, shorts, flip-flops, slippers, sun-glasses, and other inappropriate dress determined by the administration will not be allowed as apparel for the ceremony.

## **LII. Early Graduation**

It is the belief of the Solen Public School District #3 (Cannon Ball Elementary/Solen High School) that it is not in the best interest of students to graduate early. If early graduation is requested, the student must provide rationale to justify cause or hardship that resulted in the early graduation request.

Application deadline for requesting early graduation is October 1, of the junior year in high school. A student must have at least a minimum of a 3.5 GPA and must exhibit that they have an exemplary high school attendance record.

1. Student and parent/guardian will make a request to graduate early to the high school principal.
2. Student will be required to complete a questionnaire and an interest inventory.
3. Parent/guardian will visit with the principal and the counselor.
4. The principal and counselor will review the request, inform parents of the recommendation and make the recommendation to the school board.
5. The school board will make the final decision in regard to the early graduation request.

### **LIII. Honor Student Selection Policy**

Students with the top two grade point averages will be designated as valedictorian and salutatorian. Honor students will be chosen by the administration on the basis of next highest-grade point averages but above 92.0%. The policy recognizes these students in the following manner:

1. Students recognized as valedictorian will receive a trophy or plaque.
2. Students recognized as salutatorian will receive a trophy or plaque.
3. All honor students will be given an academic cord to wear so that they are recognized as honor students.

A student's class rank will be determined by a numerical cumulative (average over four years of high school) grade point average. This numerical ranking can be factored out to the fifth decimal to eliminate any ties in the class ranking.

### **LIV. Selection of Graduation Speakers**

To be eligible to give a speech at graduation, an individual must have been a student at Solen High for at least four semesters of high school, with one semester being the last semester of his/her senior year. Students shall be chosen first from valedictorian, salutatorian, and class officers.

The students who have been selected to give a speech will need to have a final draft of their speech submitted to the high school principal one week prior to the date of graduation.

### **LV. Guidance Program**

A guidance/counseling program is available to all students. This program is designed to help the individual student to determine and understand his/her interests, abilities, limitations, opportunities, and needs so that he/she is more capable of making wise choices and adjustments. Complete files of occupational information and state college catalogs are available in the guidance department.

### **LVI. Home-Schooling (Legal Ref. NDCC Ch. 15.1 -23)**

The Solen Public School District #3 (Cannon Ball Elementary/Solen High School) will award no certificates or diplomas to home-educated students. Students must enter the regular Solen Public School District #3 (Cannon Ball Elementary/Solen High School) program and complete all necessary requirements to be eligible for a diploma from Solen Public School District #3 (Cannon Ball Elementary/Solen High School).

### **LVII. Handicap Accessibility Accommodation**

Solen Public School District #3, in compliance with OCR 504 accessibility accommodations, has on file a classroom assignment relocation policy. If due to handicap reasons please request in the main office to have classes/meetings relocated to accessible floors.

### **LVIII. Head Lice**

Solen Public School District #3 works with Indian Health Services (IHS) to handle issues dealing with head lice.

## **LIX.Special Education Services**

Solen Public School District #3 provides special education services through a two-county cooperative plan. The unit is called Morton/Sioux Special Education Unit and the office is located in Mandan, ND. This unit is responsible for providing special education to children with the following handicaps:

1. Autism
2. Blindness
3. Deafness
4. Emotional Disturbance
5. Hearing Impairment
6. Intellectual Disability
7. Multiple Disabilities
8. Orthopedic Impairment
9. Other Health Impaired
10. Specific Learning Disability
11. Speech or Language Impairment
12. Traumatic Brain Injury
13. Visual Impairment

In order to receive special services, a child must be referred to the building level support team or principal, assessed by a team of qualified professionals and determined to be handicapped in one of the above areas. If you feel your child has any unique educational needs, please contact the school principal.

This unit also provides special education services to children ages three through six. Before services can be provided, an evaluation of the child must be completed to determine if the child is severely delayed. If you feel this service is needed, please contact the Cannon Ball elementary school at 854-3341.

The Solen School District designates a week in September as “child find week”. Community members are requested to report to school administrators or the director of special education the name and address of students who may have a disability. The purpose of this activity is to find children age birth through two who have not been identified and any children ages three through 21 who are not receiving educational services.

All personal identifiable information will be kept confidential.

## **LX. Rights of Students and Parents / Guardian Annual Notification Regarding Parents Right of Access to Student Records**

Each year parents and students need to be reminded of the student records policy of the Solen Public School District #3 (Cannon Ball Elementary/Solen High School). Parents of students or 18-year-old students who wish to review any or all of the school records pertaining to the student should contact the building principal for an appointment. The records will be reviewed with school personnel, and parents may have copies of the records for the cost of copying.

If parents or adult students believe something in the records is inaccurate or misleading, they may request that it be corrected or they may have comments added to the record. If the principal and the parent or adult student cannot agree, the superintendent may be contacted for a hearing.

Record information will not be released to most persons or agencies without the written consent of parents. Nonetheless, it is the policy of this district to forward school records, without parent consent, to schools in another district to which a student transfers. This is to facilitate the prompt placement of the student in the new school. However, parents may request a copy of the record. Similarly, without parent consent, the district forwards transcripts, or other information requested by high school students, to colleges and other educational institutions to which the students are applying.

For a complete copy of the district's student record policy, contact your school principal. Students who have questions or concerns about the student record policy may direct them to the building principal, the superintendent or the U.S. Office of Education.

Also, federal law permits a school district to identify certain information as "directory information" which may be publicly released without permission of the parents. Solen public schools district #3 identifies this information as the following: name, address, telephone number, date and place of birth, major field of study, participation in activities and sports, weight and height of members of athletic teams, dates of attendance diplomas and awards received and most recent previous school attended. We believe that it is in the student's best interest to have such information released in school and community newspapers because of the recognition it gives them. We make every reasonable effort to protect our students' privacy. For example, it is our policy not to release information to businesses for commercial purposes or to individuals without good reason. Therefore, most parents do not restrict the release of directory information.

## **LXI. Equal Opportunity Employment (Non -Discrimination)**

The Solen Public School District #3 (Cannon Ball Elementary/Solen High School) provides equal opportunities for all students, free from limitations based upon race, color, sex, handicapping conditions, nationality, or religion affiliation.

This concept of equal education opportunity will serve as a guide for the school board, administration, and staff in making decisions relating to employment of personnel, school facilities, intramural and interscholastic athletics, curriculum, activities, and regulations affecting students and employees.

## **LXII. Title IX Policy**

You are hereby notified the Solen Public School District #3 (Cannon Ball Elementary/Solen High School) does not discriminate on the basis of sex in the educational programs or activities which it operates, and that it is required by title ix and part 86 of the department of health and human services regulations not to discriminate in



such manner. This requirement not to discriminate extends to educational programs and activities, as well as to employment therein.

You are further notified that inquiries concerning the application of title ix and this part may be referred to the designated person responsible for coordinating the efforts of Solen Public School District to comply with and carry out its responsibilities under title ix and this part, including any investigation of complaints alleging non-compliance.

The Solen Public School District #3 (Cannon Ball Elementary/Solen High School) system does not discriminate on the basis of race, color, national origin, sex or handicap in its education programs/activities and employment policies/practices.

### **Solen School District Title IX**

Title IX prohibits discrimination based on sex by entities that receive federal funding. Under the new regulations to Title IX taking effect August 14, 2020, a school or school district's Title IX Coordinator, Investigator, Decision-Maker, and Informal Resolution Process Facilitator must all be trained on the following topics: the definition of sexual harassment, the scope of a school's education program or activity, the new regulatory requirements of the Title IX investigation and grievance process, and how to avoid conflicts of interest and bias. Investigators and decision-makers must also be trained on how to recognize relevant evidence and questioning. The purpose of this training is to cover those topics, to explain the new regulations, and to offer practical advice on how to conduct and resolve a Title IX investigation under the new grievance procedure.

*Title IX Coordinator:* Amber Celley

E-Mail: [amber.celley@k12.nd.us](mailto:amber.celley@k12.nd.us)

Phone: 701-854-3341

Investigator: Steve Folmer

Decision Maker: Kacey Isbell

Appeal Decision Maker: Bailey Wenz

The Solen School District policy, procedures and grievance policies regarding Title IX can be located on the Solen School District website.

**Updated: August 10th, 2020**

## **LXIII. Section 504 Of the Vocational Rehabilitation Act Of 1973, As Amended, Policy Statement**

The school board of Solen Public School District # 3 in the county of Sioux and state of North Dakota supports the provisions of section 504 of the vocational rehabilitation act of 1973, as amended, which commit all North Dakota schools to the elimination of discrimination on the basis of handicapping condition in those programs and activities which receive federal funds as well as in all other programs and activities offered to its students. It is the expressed intent of Solen Public School District #3 to provide equal opportunities for all students, free from limitations based upon handicapping condition.

The concept of equal educational opportunity will serve as a guide for the school board, administration, and staff in making decisions relating to employment of personnel, school facilities, intramural and interscholastic

athletics, curriculum, activities and regulations affecting students and employees.

The Solen Public School system does not discriminate on the basis of race, color national origin, sex or handicap in its educational programs/activities and employment policies/practices.

## **LXIV. Affirmative Action**

### **A. Grievance procedure: Title IV, Title IX, section 504.**

Any person who believes him/herself or any specific class of individuals to be subjected to discrimination on the basis of race, color, national origin, sex or handicap may by her/himself or by representative file a complaint as outlined below. A complaint must be filed not later than 180 days from the date of the alleged discrimination unless the time for filing is extended by the responsible official or his/her designee.

## **LXV. Complaint procedure**

Any student or employee of Solen Public School District # 3 may file a complaint alleging discrimination on the basis of race, color, national origin, sex or handicap in any of the programs or activities of the school district as follows:

An oral complaint may be informally filed with the superintendent or immediate supervisor of a complaining student or employee, or

A formal written complaint may be filed with the principal, or superintendent of Solen Public School, District #3, or

A formal written complaint may be filed with the superintendent who has been designated as the person responsible for coordinating the efforts of Solen Public School District #3 to comply with title vi, title ix and section 504, including the investigation of complaints alleging non-compliance. The office address and telephone of the Solen Public School Coordinator are as follows:

Superintendent of school 902 East Broadway

Solen, ND 58570

Phone: 701-445-3331

Any person lodging an informal, oral complaint reserves the right to file a formal wrote complaint within 60 days of filing the oral complaint. Further, a formal written complaint must be filed as outlined in (2) or (3) above prior to the filing of an appeal as outlined below.

## **LXVI. Formal Appeal Procedure**

When a formal written complaint has been filed as outlined above, if any equitable resolution of that complaint has not been obtained within 60 days of the filing of said complaint, or if the allegations of the written complaint are rejected as unfounded, then the complainant shall have the right to file a formal written appeal within 30 days after a final decision has been submitted in writing to the complainant.

Such an appeal should be made to the school board of Solen Public School District #3 or to the state department of public instruction.

Upon receipt of an appeal, a date shall be fixed for a hearing to be held not less than 20 days after receipt of the

appeal.

Both the school board and the complainant shall have the right to:

1. Be represented by counsel.
2. Introduce all relevant evidence on the issue.
3. Take direct testimony of any witness, given orally under oath or affirmation.
4. Cross-examine witnesses on any matter material to the proceeding, without regard to the scope of his/her direct examination.
5. Have the proceeding transcribed by a court reporter, at the expense of the person requesting the transcript.

The provisions applicable to Title VI, or the Civil Rights Act of 1964 as found at 34 CFR sections 100.6 –100.11 and 34 CFR part 101 are also made applicable to formal appeals under Title IX.

1. In the event of a complaint involving a person who needs or is believed to need special instruction or related services because of a handicap, the parent/guardian may request an impartial due process hearing. The request for a hearing will be made in writing to the school board of Solen Public School, District #3. Opportunities for informal conferences under the usual appeal procedures within the district will be made available to the parent/guardian in order to resolve the conflict in an amicable manner.
2. Upon receipt of the request for a hearing the board shall make a formal request to the North Dakota Administration Hearing Officer Division for a list of three persons whose names appear on the hearing from the remaining names and immediately notify all parties of such determination.
3. Within five days from the receipt of the list of hearing officers, the parent/guardian and/or the school district may delete one name from the list.
4. The school district shall designate a hearing officer from the remaining names and immediately notify all parties of such determination.
5. The notification sent to the parent/guardian shall be accompanied by a written notice informing the parent/guardian of the right to request the attendance at any personnel who may have testimony relevant to the needs, abilities, proposed programs, or status of the student, the rights of access by parents to all relevant school records and documents, and the availability of any low-cost or free legal or relevancy support services in the area in which the parent/guardian resides.
6. The hearing shall be scheduled at a time and place, which is mutually convenient to the parent/guardian and the district.
7. The hearing officer may meet with the parties in order to attempt to arrive at a voluntary resolution of the matter in dispute before the commencement of the hearing.
8. In the event that a voluntary resolution of the dispute cannot be achieved, a hearing shall be conducted in accordance with established procedures. If the primary language of the parent/guardian is other than English, or, if the parent/guardian is either blind or deaf, an interpreter or reader shall be provided. All hearings shall be conducted in locations fully accessible to physically handicapped persons.
9. Any party to the hearing shall have the right to be accompanied and advised by counsel and by individual with special knowledge or training with respect to the area of the issue at hand.
10. Any party to the hearing has the right to present evidence, confront and cross-examine and compel witnesses and prohibit the introduction of any evidence at the hearing, which has not been disclosed to that party at

least five (5) days before the hearing.

11. If requested by the parent/guardian, the hearing shall be open to the public. Specific individuals may also be permitted to attend the hearing at the request of the parent/guardian.
12. The district shall make a tape recording or other verbatim record of the hearing. Upon request, the parent/guardian shall have the right to obtain a copy of the record of the proceedings.
13. Following the close of the hearing, a decision, which states concisely and explicitly the findings of fact, conclusions of law will be sent by certified mail to, the parties involved. The decision of the hearing officer is final unless either party appeals the decisions through the court system. As appropriate, the hearing decision will be written in English and in the primary language of the parent/guardian if other than English, and where appropriate, will be transcribed in braille or tape-recorded for a parent/guardian who is visually impaired or blind.
14. During these proceedings, the child shall remain in his/her present placement unless the parties agree otherwise. While the placement may not be changed, this does not preclude the district from using its normal procedures for dealing with a child who is endangering him/herself or others.
15. If the complaint involves an application for initial admission of a child to a public school, the child, with the consent of the parents, shall be placed in the public-school system until the completion of all administrative and judicial proceedings.
16. A final decision shall be reached in the hearing and a copy of the decision will be mailed to each of the parties in the dispute no later than 45 days after the receipt of the request for the due process hearing. A hearing officer may grant specific extension beyond the 45 days at the reasonable request of either party.

**Note:** any student or employee of the Solen Public School District #3 shall also be entitled to submit any complaint of alleged discrimination on the basis of race, color, national origin, sex, or handicap directly to the regional office of civil rights of the United States Department of Education by sending said complaint to:

Office for Civil Rights Kansas City Office

U.S. Department of Education 10220 N. Executive Hills Blvd. 8<sup>th</sup> Floor, 07-6010

Kansas City, Mo 64153-1367 (816) 880-4200

Fax: (816) 981-0644, TDD (816) 891-0582

Legal ref: Title VI Of 1964 Civil Rights Act Title VII Of 1964 Civil Rights Act as amended by The Equal Employment Opportunity Act Of 1972 and The Civil Rights Act of L991.

The Equal Pay Act of 1963 as amended by the Education Amendments of 1972.

Title IX of the 1972 Education Amendment, sections 504 and 504 of The Rehabilitation Act of 1973.

Americans with Disability Act of 1990.

Executive Order 11246 As Amended By 11375.

45 CFR Part 84 Regulation.

Local Contact Person: Superintendent of Schools

902 East Broadway

Solen, ND 58570

Phone (701)445-3331

## **LXVII. Discrimination and Harassment Grievance Procedure**

The following procedure is designed to resolve discrimination, harassment and retaliation complaints by and against students, parents, and third parties, as described in board policy, in a prompt and equitable manner. Board policy requires all students and staff to fully cooperate when asked to participate in a discrimination, harassment, or retaliation investigation. The procedure contained in this regulation supersedes the district's policies regarding complaints about personnel and bullying.

### **A. Retaliation Prohibited**

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

### **B. Complaint Filing Format and Deadlines**

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

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

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

### **D. Initiating Complaint Resolution Procedure**

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

**E. Prohibition on Meeting with the Accused**

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

**F. Third-Party Assistance**

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

**G. Investigation Timeframes**

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

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

**H. Interim Measures**

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

**I. Informal Resolution Procedure**

This procedure may only be used when mutually agreed to by the complainant, the accused and the appropriate grievance coordinator. This procedure may not be used when the alleged discrimination and/or harassment may have constituted sexual violence or any other crime. The formal resolution procedure must be used whenever the informal procedure is not permitted.

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

The appropriate grievance coordinator shall monitor the implementation and effectiveness of the informal resolution procedure and initiate the formal resolution procedure if discrimination and/or harassment persists.

Both the complainant and the accused have the right to terminate the informal resolution procedure at any time to pursue a remedy under the formal resolution procedure.

**J. Formal Resolution Procedure**

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

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

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

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

**K. Investigation Report:**

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

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

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

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

**L. Disciplinary Action**

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

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

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

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

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

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

**M. Notice of Outcome**

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

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

**N. Investigation Materials**

Investigation materials must be retained by the appropriate grievance coordinator (Title IX, 504/Title II, or Nondiscrimination) for at least six years.

## **LXVIII. Computer Network System -Acceptable Use Policy**

The Solen School District Board of Education considers computers and computer networks to be valuable tools for education and encourages their use in district classrooms. The purpose of the district's computer network systems is educational. This system will enable students to communicate with people around the world and gather appropriate educational material. The Solen School local area network and its connection to the wide area network which provides vast, diverse and unique resources. In an effort to promote educational excellence in The Solen School District students, staff, and guest users of this technology, has the responsibility to use the computer network systems properly in accordance with the rules of the district.

### **COMPUTER/INTERNET ACCESS IS A PRIVILEGE, NOT A RIGHT.**

#### **1. ACCEPTABLE USE**

- Must be in support of education and research consistent with the district's mission and goals



- Must be consistent with the rules appropriate to any network used/accessed.
- Unauthorized use of copyright material is prohibited. Research material must be cited appropriately.
- Threatening or obscene material is prohibited.
- Use for commercial activities is not acceptable.
- Product advertisement or political lobbying is prohibited.
- Personal home pages will not be allowed.

## 2. PRIVILEGES

- Access to the internet and our school computer network is not a right, but a privilege.
- Unacceptable usage will result in consequences as stated in the student handbook or school board policy manual.
- Electronic mail and a school computer account are not guaranteed to be private.

## 3. ETIQUETTE

- Be polite!
- Users will not use vulgar, profane, lewd, rude, inflammatory, threatening, disrespectful, or obscene language.
- Users will not post personal contact information about themselves or other people. Personal contact information includes address, telephone numbers, school address, work address, photos, etc.
- Users will not agree to meet with someone they have met on line without their parent's approval and participation.
- Users will promptly disclose to their teacher or other school employee any message they receive that is inappropriate or makes them feel uncomfortable.
- Do not intentionally disrupt the network or other users.
- Abide by generally accepted rules of network etiquette.

## 4. SECURITY

- If you identify a problem, notify a system administrator immediately.
- Do not show or identify a security problem to others.
- Do not reveal your account password or allow another person to use your account.
- Do not use another individual's account. Attempts to log on as another user will result in consequences as stated in the student handbook.
- Any user identified as a security risk or having a history of problems with computer systems may be denied access
- User may be occasionally required to update registration, password, and account information in order to

continue internet access.

## 5. VANDALISM/HARASSMENT

- Vandalism is defined as any malicious attempt to harm or destroy data of another user, the internet or other networks. This includes but is not limited to: creating and/or uploading computer viruses or attempting to gain unauthorized access to other computers or programs.
- Vandalism also includes the user's deliberate attempts to disrupt the computer system performance, destroy data, or destroy hardware
- Harassment is defined as the persistent annoyance of another user or the interference in another user's work. This includes but is not limited to the sending of unwanted mail.

## 6. FILTERING

- The district uses internet content filtering to limit access to offensive or objectionable material. The filtering product blocks websites described by any of the following categories: alcohol, anarchy, chat, criminal skills, cults, drugs, gambling, hate groups, obscene & tasteless, personal ads, pornography, and public web proxies. Anyone seeing an offensive site is required to report it to a teacher or system administrator.

## 7. PENALTIES

- Any user violating these provisions, applicable state and federal laws or posted classroom and district rules is subject to loss of network privileges and any other district disciplinary options, including criminal prosecution.
- School and district administrators will make the determination as to what constitutes unacceptable use and their decision is final.

**Email access & use:** students are encouraged to use email as a means to enhance communication between teachers, students and outside resources. Students are only allowed to use email accounts set up and maintained by the district. (K12 account). All other email clients and web sites are strictly prohibited.

**Obtaining a K12 email account:** email accounts provided by K12 are organized by `firstname.lastname@...if` you are uncomfortable with this option; you may request a unique non-identifying username during the registration process. Students are to see building facilitators for assistance.

**Disclaimer:** The Solen School District #3 makes no warranties of any kind, whether expressed or implied, for the service it is providing. The Solen School District will not be responsible for any damages a user may suffer, including the loss of data. The district will not be responsible for the accuracy or quality of information obtained through this internet connection. The district will not be responsible for financial obligations arising through the unauthorized use of the system. Legal ref: *child internet protection act (cipa)-December 2000 parent or staff retain this sheet for your information*

**Solen Public School District #3 Student contract for internet use**

Student name: \_\_\_\_\_

Parent/guardian name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_

Home telephone: \_\_\_\_\_ Parent work telephone: \_\_\_\_\_

I understand and agree to adhere to the behaviors outlined in the Solen Public School acceptable use policy (AUP). I understand that any violation of this policy will result in the loss of internet privileges.

Student signature: \_\_\_\_\_ date: \_\_\_\_\_

For students under the age of 18, the parent or guardian is required to complete the following section:

I have read and understand the AUP for Solen Public School District # 3 internet use. I understand that use of the internet is designed strictly for educational purposes. I also understand that Solen Public School District # 3 is taking measures to ensure that my child does not have access to any material deemed inappropriate. I agree that I will not hold Solen Public School District # 3 responsible for any access by my child of any inappropriate materials acquired on the internet.

I hereby give my child permission to work on the internet for school use.

Parent/guardian signature: \_\_\_\_\_ date: \_\_\_\_\_

## **LXIX. Bullying Policy**

### **A. Definitions**

For the purpose of this policy:

1. Bullying is defined as conduct prescribed in NDCC 15.1-19-17. The superintendent should place this definition, in its entirety, in student and staff handbooks and should develop guidelines to assist students and staff with identifying this conduct.
2. Protected classes are classifications/characteristics protected from discrimination by NDCC 14-02.4- 01 and federal law. The following classes are protected: race, color, religion, sex, national origin, age, disability (physical or mental), and status with regard to marriage or public assistance.
3. School-sanctioned activity is defined as an activity that:
  - Is not part of the district’s curricular or extracurricular program; and
  - Is established by a sponsor to serve in the absence of a district program; and
  - Receives district support in multiple ways (i.e., not school facility use alone); and
  - Sponsors of the activity have agreed to comply with this policy; and
  - The district has officially recognized through board action as a school-sanctioned activity.
4. School-sponsored activity is an activity that the district has approved through policy or other board action for inclusion in the district’s extracurricular program and is controlled and funded primarily by the district.
5. School staff includes all employees of the Solen School District #3 school volunteers, and sponsors of school-sanctioned activities.
6. True threat is a statement that, in light of the circumstances, a reasonable person would perceive as a serious expression of intent to inflict harm.

### **A. Prohibitions**

While at a public school, on school district premises, in a district-owned or leased school bus or school vehicle, or at any public school or school district sanctioned or sponsored event, a student, staff member, or school volunteer may not:

1. Engage in bullying:
2. Engage in reprisal or retaliation against:
  - A victim of bullying;
  - An individual who witnesses an alleged act of bullying;
  - An individual who reports an alleged act of bullying; or
  - An individual who provides information/ participates in an investigation about an alleged act of bullying.

3. Knowingly file a false bullying report with the district.
4. Off-campus bullying that is received on school property is also prohibited. The district has limited disciplinary authority to respond to such forms of bullying.

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

1. Reporting requirements for school staff: any school staff member with knowledge or suspicion of a violation of this policy from a student, community member, or anonymously shall contact the building principal to inform him/her as soon as possible. If the alleged violation implicates the building principal, the school staff member shall report it to the superintendent. If the alleged violation implicates the superintendent, the school staff member shall file it with the board president.

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

2. Reporting options for students and community members: students and community members (including parents) may report known or suspected violations of this policy using any of the following methods:
  - Completing a written complaint form: a complainant will have the option of including his/her name on this form or filing it anonymously. The district will place the form in a variety of locations throughout the school and should inform students and staff of these locations. The form may be returned to any school staff member, filed in a school building's main office, or placed in a designated drop box located in each school.
  - Complete and submit an online complaint form. A complainant will have the option of including his/her name on the form or submitting it anonymously.
  - File an oral report with any school staff member.

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

### **Reporting to law enforcement & others forms of redress**

Any time a school staff member has reasonable suspicion that a bullying incident constituted a crime, s/he shall report it to law enforcement. Also, nothing in this policy shall prevent a victim/his/her family from seeking redress under state and federal law.

### **Documentation & retention**

The district shall develop a form to report alleged violations of this policy. The form should be completed by school staff when they:

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

The form should be completed by an administrator when s/he:

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

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

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

## **LXXI. Investigation Procedures**

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

Upon receipt of a report of an alleged policy violation, the designated administrator shall first determine if the alleged policy violation is based on a protected class-whether actual or perceived. Reports involving a protected class shall be investigated in accordance with the district’s harassment/discrimination policy, including the timelines contained therein.

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

1. Identification and collection of necessary and obtainable physical evidence

(Note: in some cases, physical evidence may be unobtainable, e.g., a private social networking profile);

2. Interviews with the complainant, the victim, and/or alleged perpetrator. At no time during an investigation under this policy shall the victim/complainant be required to meet with the alleged perpetrator;
3. Interviews with any identified witnesses;
4. A review of any mitigating or extenuating circumstances;
5. Final analysis and issuance of findings in writing to the victim and bully and, if applicable, implementation of victim protection measures and disciplinary measures under this or other applicable policies.

Investigations shall be completed within 60 days unless the administrator documents good cause for extending this deadline. Such documentation should be sent to victim and alleged perpetrator during the investigation.

## **LXXII. Disciplinary & Corrective Measures**

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

1. Require the student to attend detention;
2. Impose in- or out-of-school suspension or recommend expulsion. Due process procedures contained in the district's suspension and expulsion policy shall be followed;
3. Recommend alternative placement. This recommendation shall be submitted to the superintendent for approval or denial. The superintendent may approve such recommendations only if the student has been given notice of the charges against him/her and an opportunity to respond.
4. Create a behavioral adjustment plan;
5. Refer the student to a school counselor;
6. Hold a conference with the student's parent/guardian and classroom teacher(s), and other applicable school staff.
7. Modify the perpetrator's schedule and take other appropriate measures (e.g., moving locker) to minimize contact with the victim;
8. If applicable, contact the administrator of the website on which the bullying occurred to report it.

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

For bullying initiated off campus and received on campus (e.g. Cyberbullying), the district only has authority to impose disciplinary measures if the bullying substantially disrupted the educational environment or posed a true threat. In all other cases of off campus bullying received on campus, the district may only take corrective measures as described in items five through eight above.

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

## **LXXIII. Victim Protection Strategies**

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

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

## **LXXIV. Prevention Programs & Professional Development Activities**

In accordance with law, the district shall develop and implement bullying prevention programs for all students and staff professional development activities.

## **LXXV. Bullying Reporting Guidelines**

The following are signs that may indicate that a student has become a victim of prohibited behavior contained in the district's bullying policy. The examples serve as guidelines only and in no way, encompass all indicators that a student has become victim of bullying. Students with knowledge/ reasonable suspicion of any conduct indicating a violation of the bullying policy, and school staff with knowledge/ reasonable suspicion of such conduct shall report it in accordance with the procedure in the bullying policy.

### **Reporting guidelines**

Students should file a report under the bullying policy and staff shall file such a report when there is:

1. Any report by a student that s/he is concerned about his/her safety as a result of intimidation, hostility, or actions by a student or staff member. Such students often avoid certain locations in the school to limit contact with a bully (e.g., locker rooms, restrooms, parking lots.)
2. Any report by a student that his/her property has been damaged or s/he is concerned that his/her property will be damaged as a result of intimidation, hostility, or actions by a student or staff member.
3. Any indication that a student is being deprived of educational opportunities (e.g., grades rapidly decline, a pattern of absenteeism, avoids certain locations in the school.)



4. Any indication of verbal, nonverbal, physical aggression, intimidation, or hostility based on a protected class, i.e., race, color, religion, sex, national origin, age, disability (physical or mental), or status with regard to marriage or public assistance.
5. A student has filed a report under the bullying policy or participated as a witness in a bullying policy or participated as a witness in a bullying investigation and has since become the subject of verbal, nonverbal, or physical aggression or hostility by other students or staff.

**End of Solen School District exhibit ACEA-E2**

Complementary documents

- AAC-BR, Discrimination & Harassment Grievance Procedure
- AAC-E, Filing A State or Federal Discrimination & Harassment Complaint
- ACEA-E1, Bullying Policy Adoption & Dissemination Checklist
- ACEA-E2, Bullying Reporting Guidelines
- ACEA-E3, Student Reporting Form
- ACEA-E4, Staff Reporting Form
- FF, Student Conduct

**End of Solen School District #3 policy area.....adopted: August 14, 2018**