

Williston Public School District #1

2017-2018 K-4

Parent/Student Handbook



Vision

The vision of Williston Public School District #1 is to welcome and celebrate the individuality of students, staff, parents and community.

We educate with passion in a safe and respectful environment.

We strive to educate with the highest level of technology.

We pledge to prepare children to graduate and achieve personal success.

Mission

The mission of Williston Public School District #1 is to prepare students to be successful at the next level of education, work, and life.

Hagan Elementary
2501 29th St W
701-572-4960

Lewis & Clark Elementary
704 17th Ave W
701-572-6331

McVay Elementary
420 University Ave
701-572-9104

Rickard Elementary
1224 1st Ave E
701-572-5412

Wilkinson Elementary
1200 9th Ave W
701-572-6532

The Williston Public School District #1 School Board reserves the unilateral right to change the handbook at any time unless a previous contractual agreement exists.

HANDBOOK INTRODUCTION

The policies and procedures contained in this handbook are the result of effort by the school board, administrators, and faculty. This information is intended to help students and their families know and understand the general procedures followed on a day-to-day basis.

Many of the policies in this handbook are a condensed version of the school policy, which can be obtained from the school upon request. Policies are also available at www.willistonschools.org. The administration reserves the flexibility to deviate from outlined procedures to meet extenuating circumstances.

ACADEMIC FREEDOM

Teachers shall abide by the curriculum standards adopted by the Board. They shall only select issues for study that contribute to the attainment of course objectives, are consistent with state standards and the district's mission, and are appropriate for classroom presentation. Teachers shall determine the appropriateness of a topic based on the following criteria:

1. There are adequate and age-appropriate materials available that will allow students to learn about all sides of an issue.
2. The topic is age-appropriate, considering the emotional, intellectual, and social capacities of the class as a whole.
3. Teachers are equipped personally and academically to present the topic objectively, allowing students to formulate their own opinions.

Controversial Topics

Controversial topics are issues that are often a matter of opinion and are subjects of public dispute, debate, or contention. When a topic is of a controversial nature, teachers shall receive administrative approval prior to presenting it in the classroom.

Teachers may offer an opinion on issues discussed in the classroom provided that the teacher clarifies that the opinion should not be construed as an authoritative answer, that the teacher is speaking on his/her own—not the district's—behalf, and encourages students to form their own opinions, stressing that students are free to express their own views without fear of academic reprisal.

Teachers that violate this policy or whose speech compromises the district's ability to provide a safe and non-disruptive educational environment may be subject to disciplinary action up to and including discharge.

ACCIDENTS

1. In the event a child is injured in school, first aid will be administered by school personnel.
2. If the accident is of a serious nature, the parents will be called. The person responsible for supervision at the time of the accident will complete an accident report form. If the school is unable to contact the parents, the ambulance may be called to transport the student to a medical facility.

ACCOMMODATION PLANS – SECTION 504

Under Section 504 of the Rehabilitation Act, which is a civil rights law, Williston Public School District #1 has a duty to locate, evaluate, and identify any child attending public school who may require Section 504 accommodation or services.

A 504 plan is a blueprint for how the school will provide supports and remove barriers for a student with a disability, so the student has equal access to the general education curriculum. These plans prevent discrimination and protect the rights of students with disabilities in school.

504 plans often include accommodations. These can include changes to the environment, changes to instruction, or changes to how curriculum is presented. Accommodations don't change *what* students learn, just *how* they learn it. The goal is to remove barriers and give students access to learning.

With 504 plans, the school will look at information about a student from a few different sources. One source might be a medical diagnosis. Schools might also look at the student's grades, test scores and teacher recommendations.

The student must also demonstrate a need for special services in school. This is typically determined through formal assessment, review of educational records, formal observations, medical data, adaptive behavior measures, and parent and teacher reports.

If you suspect your child has a disability and may need 504 accommodations, or if you would like additional information, please contact your building principal, or call the District 504 coordinator, Pamela Lambert at 572-1580.

AGE FOR ENROLLMENT

All children entering kindergarten must be five years old by midnight of July 31. All pupils entering first grade must be six years old by midnight of July 31. North Dakota Century Code 15-47-01 allows some children to enter kindergarten even though their fifth birthday falls after July 31. Under the provisions of the law, school boards must establish an evaluative system which will identify children with special talents or abilities upon the request of the parents/guardians. The child's fifth birthday must be no later than December 31 of that year. Further information regarding early entrance may be obtained from the school principal or superintendent's office.

ALLERGIES

Parents are asked to notify the school of the child's allergies prior to the beginning of the school year or as soon as the child is diagnosed by a medical professional. Parents are required to provide written medical documentation of the allergies each school year. A meeting will be held with the school team to write a long term health care plan which will outline the procedures the school will take to keep children as safe as possible in the school setting.

No peanuts, or foods containing peanuts, or fish will be served in K-8 buildings. Students are allowed to bring peanut products into the school building. Some classrooms may be designated as allergy safe classrooms to protect students with life threatening allergies. The school website will have school menus posted to assist parents in selecting safe food for their child to eat.

ASBESTOS

Records of all environmental and EPA regulated projects (radon, lead in the water, asbestos) are kept on file in the District Office. The last three year re-inspection was May 10, 2012. Any questions can be answered by contacting the Superintendent.

ASSEMBLIES

Generally, school administrators will determine or substantially control the content of what is expressed at student assemblies. In such cases, religious expression will not be permitted as the religious expression may be attributed to the school or seen as an endorsement of a particular religious belief or expression. However, in the instances where students are selected to speak at assemblies based upon neutral selection criteria and where the student speaker has primary control over the content of the oral presentation, the school will not restrict the student speech because of its religious or anti-religious content. In such cases, school authorities will publicly clarify that the content of the student's speech is the speaker's opinion and not the school's.

For the purposes of this policy, primary control is defined as authority by a student to include any content in a speech so long as it is not profane, sexually explicit, defamatory, disruptive, and/or does not infringe on the rights of others. Students may speak on individual religious views and experiences but prayer and proselytizing shall be prohibited because such speech may infringe on the rights of the audience. Administration shall review student speeches prior to

delivery. In the event that a speech contains potential prohibited content, administrators shall contact legal counsel to seek guidance before asking a student to remove such content.

ATTENDANCE & ABSENCES

North Dakota law has established age requirements for compulsory attendance. In order to comply with and enforce these requirements, the Board establishes the following attendance policy:

Definitions

For the purposes of this policy:

- *Excused absence* is defined as absence caused by illness, injury, family emergency, religious observance, suspension, participation in a school-related activity, court appearances when subpoenaed, or other reasons deemed excusable by the building principal or Superintendent. The Superintendent or designee shall develop criteria for requesting and granting an excused absence and shall establish make-up work requirements.
- *Unexcused absence* is defined as an absence that is not excused and/or has not been approved by the [building] principal or Superintendent. Unexcused absences include but, are not limited to, being absent from class or a scheduled activity during the school day without a parent's/guardian's consent and appropriate school approval. If a student is absent for an unexcused reason, the parent/guardian shall still be responsible for calling the principal's office to explain the absence.

Accumulated Absence

The Board believes there is an intangible benefit associated with being present in the classroom. Attendance may be a factor used in computing students' grades.

Students who are absent may be subject to academic sanctions (which may include, but not be limited to, a point, percentage, loss of credit, or grade reduction) and/or intervention counseling in accordance with administrative regulations. The Superintendent or designee shall develop regulations on grade-appropriate academic sanctions and other intervention strategies for absences. These regulations shall contain provisions that allow students to remedy some or all of the adverse academic consequences associated with absences.

Students will be afforded appropriate due process rights based on the severity of disciplinary penalty that the District is considering imposing.

The Superintendent shall develop standards that define what constitutes a violation of the compulsory attendance law. Suspected violations of the compulsory attendance law shall be investigated in accordance with law. When a compulsory attendance violation is substantiated, the District shall comply with reporting requirements under law.

ATTENDANCE

Regular attendance is necessary to achieve educational progress. Children are required by North Dakota law to be in attendance every day that school is in session. Williams County Social Service Personnel will be contacted after habitual absences have occurred. Illnesses and certain other incapacities are exceptions to the attendance requirements. Children should be encouraged to attend school every day unless they are ill.

Students will need to meet the following criteria to receive a **Perfect Attendance Award** for the school year: **No days absent and no days tardy.**

Students will need to meet the following criteria to receive an **Outstanding Attendance Award** for the school year: **No more than one day absent or one day tardy.**

Students are expected to be on time and prepared for school. If a student arrives at school after 8:20 AM, the student is considered tardy. The student must report to the office to have his/her name removed from the absentee list. Parents are asked to notify the school if their child is going to be tardy or absent.

If a child is absent and the school office has not been notified by the parents of the absence, the principal designee will attempt to call the student's home phone number for verification of the location of the student. If the parent cannot be reached at home, the principal designee will attempt to contact the parent at their work phone number or cell phone number.

Parents are encouraged to make personal or medical appointments for their children before or after school hours.

Parents are encouraged to pick up their child's school work on the days the child is absent. If parents know in advance of a child's absence, parents are encouraged to get the child's school work before they leave so the work can be completed prior to the absence.

Upon returning to school after an extended illness (5 consecutive days), students may be required to present a physician's note to the school office, giving the reason for the absence. Such written statements permit survey checks on prevalent community illnesses and also assure school personnel that parents are aware of a child's absence.

Parents will receive letters from the principal when their child has been absent or tardy for eight and sixteen days during the school year. If a child's absences or tardiness become habitual and the principal is not satisfied that the absences are excusable, the principal may file a Report of Suspected Child Abuse or Neglect with Williams County Social Services. Habitual absence is defined as four or more absences per each nine week period.

BULLYING POLICY

Definitions

For the purposes of this policy:

- *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.
- *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.
- *School property* or the term *on-campus* refers to all property owned or leased by the District, school buses and other vehicles, or any school district sponsored or school-sanctioned activity.
- *School-sanctioned activity* is defined as an activity that:
 - a. Is not part of the district's curricular or extracurricular program; and
 - b. Is established by a sponsor to serve in the absence of a district program; and
 - c. Receives district support in multiple ways (i.e., not school facility use alone); and
 - d. Sponsors of the activity have agreed to comply with this policy; and
 - e. The District has officially recognized through board action as a school-sanctioned activity.
- *School-sponsored activity* is an activity that the District has approved through policy or other board action for inclusion in the district's extracurricular program and is controlled and funded primarily by the District.
- *School staff* include all employees of the Williston School District, school volunteers, and sponsors of school-sanctioned activities.
- *True threat* is a statement that, in light of the circumstances, a reasonable person would perceive as a serious expression of an intent to inflict harm.

Prohibitions

While 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 activity or event, a student, staff member, or school volunteer may not:

1. Engage in bullying;
2. Engage in reprisal or retaliation against:
 - a. A victim of bullying;
 - b. An individual who witnesses an alleged act of bullying;
 - c. An individual who reports an alleged act of bullying; or
 - d. An individual who provides information/participates in an investigation about an alleged act of bullying.
3. Knowingly file a false bullying report with the District.

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

Reporting Procedures for Alleged Policy Violations

1. Reporting requirements for school staff: Any school staff member with knowledge or suspicion of a violation of this policy or who has received an oral or written report of a violation of this policy from a student, community member, or anonymously shall contact the building principal to inform 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:
 - a. 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.
 - b. 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.
 - c. 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

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

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

Report forms and all other documentation related to an investigation of an alleged violation of this policy 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.

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 of 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 the alleged perpetrator. At no time during an investigation under this policy shall the victim/ complainant be required to meet with the alleged perpetrator.
3. Interviews with any identified witnesses.
4. A review of any mitigating or extenuating circumstances.
5. Final analysis and issuance of findings in writing to the victim and 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 the victim and alleged perpetrator during the investigation.

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.

Victim Protection Strategies

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

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

BUS CONDUCT

The District has disciplinary authority over students while being transported in district owned, leased, and/or contracted vehicles to and from school and during school-sponsored curricular and extracurricular events. The transportation supervisor shall determine the level of disciplinary authority that shall be given to school vehicle driver and develop regulations for handling student misconduct on school vehicles.

Conduct Requirements

Students shall be required to abide by all applicable district conduct and safety policies while in district vehicles. The Superintendent or designee may develop additional, specific regulations related to conduct in school vehicles.

Violations

Students who violate any of these policies or rules may be subject to the consequences contained in applicable student discipline policies.

When the conduct of a disabled and/or special education student transported in a school vehicle poses a transportation safety risk or when the conduct otherwise violates policy to the extent that it compels the District to reconsider the student's transportation arrangements, prior to making a removal decision, the District shall determine the following:

1. If transportation is part of the student's 504 Plan and/or Individual Education Program (IEP).
2. If removal would constitute a removal from the education program as determined by the following factors:
 - a. There is a significant distance between the student's home and school.
 - b. There are no alternative means of public or private transportation.
 - c. The school has not made appropriate arrangements to provide for the student's education.

If criteria one or two above is applicable, the 504/IEP Team will develop an alternative means of providing transportation to the disabled and/or special education student in accordance with federal laws and regulations or will treat such student's removal from school transportation as suspension from the educational program and will follow the procedure for suspension contained in the district's suspension/expulsion policy and in federal regulations.

CARRYING WEAPONS

Definitions

- *Firearm* is defined in accordance with 18 U.S.C. 921.
- *School property* is defined in NDCC 15.1-19-10 (6)(b) as all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by the District, and the site of any school-sponsored event or activity.
- *Weapon* includes, but is not limited to:
 - Any *dangerous weapon* as defined by NDCC 62.1-01-01;
 - Any device designed to stun through use of voltage whether through direct contact or through a projectile;

- Any firearm look alike or dangerous weapon look alike brought on school property with the intent to threaten or intimidate;
- Any other object that a student used, attempted to use, or intended to use to threaten or intimidate, cause destruction to property, or to cause injury to self or others;
- Spray or aerosol containing ortho-chlorobenzamalonitrile or other irritating agent intended for use in the defense of an individual.

Prohibitions

No student will knowingly possess, handle, carry, or transmit any firearm or weapon on school property.

Disciplinary Consequences

Violation of this policy will result in disciplinary action up to and including suspension or expulsion. Bringing a weapon other than a firearm to school will require that proceedings for the suspension for up to 10 days and/or expulsion for up to 12 months be initiated immediately in accordance with the district's suspension and expulsion policy.

Bringing a firearm to school will require that the District immediately initiate proceedings for the expulsion of the student involved for a minimum of one calendar year in accordance with the district's suspension and expulsion policy. The Superintendent may modify the length of a firearms-related expulsion on a case-by-case basis based on the following criteria:

1. The totality of the circumstances, including the severity of the incident and the degree of endangerment of other students and staff.
2. The age and grade level of the student.
3. The prior disciplinary history of the student being expelled.
4. Relevant factors that contributed to the student's decision to possess a firearm in violation of this policy.
5. The recency and severity of prior acts resulting in suspension or expulsion.
6. Whether the optional provision of educational services in an alternative setting is a viable alternative to modifying the duration of the expulsion.
7. Input, if any, provided by licensed professionals (psychologists, psychiatrists, counselors) as to whether the expelled student would place himself/herself or others at risk by returning to the school prior to the expiration of the expulsion period.

Parents will be notified and all weapons will be confiscated and may be turned over to the student's parents or to law enforcement officials at the discretion of the administration. Firearms will be confiscated and turned over to law enforcement.

Special Education Students

A student who is defined as having a disability under the Individuals with Disabilities Education Act (IDEA) who has brought a weapon to school shall be handled in accordance with IDEA regulations. The District shall make manifestation determinations, disciplinary decisions, and placement decisions of such students in accordance with IDEA regulations.

Nonapplicable Provisions

This policy does not apply to students enrolled and participating in a school-sponsored shooting sport, provided that the student informs the school principal of the student's participation and the student complies with all requirements set by the principal regarding the safe handling and storage of the firearm. The principal may allow authorized persons to display weapons, other dangerous objects or look-a-likes for educational purposes. Such a display will be exempt from this policy.

CHILD ABUSE/NEGLECT REPORTING LAW

In order to comply with the Child Abuse/Neglect Law (Section 50-25.1 NDCC), it is the policy of Williston Public School District #1 that any school employee who knows or reasonably suspects that a child's health or welfare has been or appears to have been harmed as a result of abuse, neglect and/or sexual molestation, shall report or cause reports to be

made in accordance with the District's adopted procedures. If a school employee has subsequent reason to suspect further abuse or neglect, additional reports will be made.

CLASSROOM ASSIGNMENTS

The staff will take into consideration teacher and student personalities, peer interactions and instructional needs when making assignments. Parental requests may be taken into consideration. All requests must be in writing, including the reason for making the request, and turned in to the school office during the month of April. Final classroom assignments will be determined by the building principal and will be released in August.

COMPLAINTS

Individual board members have no authority to resolve complaints and the Board, as a whole, believes that patron complaints should be resolved at the lowest level of authority possible. Therefore, whenever a complaint is made to an individual board member or the Board as a whole, it will be referred to school administration for processing at the lowest level of authority possible.

If the complaint is not satisfactorily remedied at the building level, either party may refer the matter to the Superintendent for investigation. The Superintendent shall complete the investigation within a reasonable deadline in accordance with any applicable deadline in law.

If all other remedies have been exhausted, a complainant may request that the matter be placed on the agenda of the next regular school board meeting; however, the Board will not hear, consider, or act upon complaints that have not been investigated at each appropriate level of authority, nor will the Board hear, consider, or act upon complaints for which specific complaint resolution procedures have been established that do not allow for board review of the complaint, including but not limited to complaints about personnel and complaints about instructional material.

Anonymous Complaints

Anonymous complaints provide no avenue for response or redress of the complaint. An unsigned complaint will not be read or acted upon at any meeting of the Board and anonymous telephone complaints will not be brought to the Board by any individual board member, administrator, or other employee. No disciplinary action will be initiated based solely on an anonymous complaint; however, the administration will investigate every anonymous complaint.

Parental Complaints

While parents enjoy a unique relationship with the schools and are the recipients of special communications concerning school events and programs as well as communications concerning their own child's progress, parents shall use the same channels of processing complaints as by other citizens.

Complaints for which specific resolution procedures are provided shall be directed through those channels. These include, but are not limited to, complaints about personnel and complaints about instructional materials.

COMPLAINTS ABOUT PERSONNEL

In order to provide an effective procedure for responding to complaints about school district personnel in a manner that is in the best interests of promoting better educational opportunities for children, the following policy is adopted.

Filing Procedure

The following procedure is intended to minimize the risk of a possible action for libel or slander, to retain the impartiality of the Board, and to maximize compliance with North Dakota law.

Complaints should be resolved at the lowest possible level of authority. If the complaint cannot be satisfactorily resolved at that level, the complaint shall be directed to the principal or other supervisor directly responsible for supervision of that employee. The supervisor shall:

1. Investigate the complaint.

2. Promptly notify the employee if the complaint is to be placed in the employee's personnel file. The decision to place information into any personnel file will be made by the administration based on the results of an inquiry or investigation.
3. Schedule a meeting of the employee, the complainant, and the supervisor if deemed appropriate.
4. Provide a response to the complainant within 60 days of receipt of the complaint. Upon conclusion of the investigation, the complainant will be informed as to the outcome of the investigation and the disposition of the complaint. If either party is not satisfied with the handling of the complaint, the matter can be appealed to the Superintendent for final resolution.

Complaints about the Superintendent and/or business manager shall be directed to the Board President, who shall follow the same procedure and shall have authority to take disciplinary action except when dismissal is contemplated. Dismissal recommendations for the Superintendent and/or Business Manager must be referred to the Board for a determination made in accordance with applicable law.

Deadlines

To be considered for investigation, any such complaint must have been filed within 180 days of the alleged occurrence. (Exception to the 180 days would be an accusation of sexual abuse.) The District has a separate investigation procedure for complaints of harassment and/or discrimination.

Prohibition: Retaliation

The District will not tolerate any form of reprisal, retaliation, or discrimination against an employee, district contractor, district agent, student and/or community member because s/he, in good faith, files a complaint against the District (or a district employee, contractor, or agent) under this policy. Furthermore, the District will not tolerate any form of reprisal, retaliation, or discrimination against an employee, district contractor, district agent, student and/or community member because s/he participates in an investigation, hearing, or inquiry related to this policy.

Prohibition of False Claims

The District may take appropriate disciplinary action against a district employee, contractor, student, and/or other district agent and/or may take legal action against anyone who knowingly files a false complaint under this policy or a false claim of reprisal, retaliation, or discrimination under this policy.

COMPUTER/ INTERNET USE AND MISUSE

The Williston School District believes Internet access plays an important role in the education of students; however, the Internet also contains content that is not appropriate for students and staff to access. In accordance with federal law, the District has taken reasonable precautions to restrict access to materials obscene, pornographic, and/or harmful to minors through the use of software designed to block sites containing inappropriate material. While the District has taken such preventive measures, it recognizes that it is not possible to fully guarantee that students and/or staff will never access objectionable materials.

Education

The District shall provide education to students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, and cyberbullying awareness and response.

Monitoring Use

Internet access is a privilege, not a right. Network storage areas shall be subject to the same scrutiny as school lockers for students. Staff shall have no reasonable expectation of privacy when using district computers and/or networks and shall use this technology solely for work-related purposes. Network administrators may view files and communications to maintain the integrity of the system and to ensure proper and responsible use of the system. Teachers and administrators will exercise supervision of student use.

Prohibitions

The District subscribes to the acceptable use policies of EduTech. All district computer users shall abide by this policy. Each class has access to computers. An internet filter is in place which helps prevent student access to undesirable sites. Disciplinary action for serious internet/computer offenses will be denial of computer privileges for the remainder of the

school year. Classroom group work and requests made by teachers will be the only exception. Serious offenses include, but are not limited to, inappropriate e-mail communications and accessing inappropriate sites; for example: accessing Facebook or other blocked sites by bypassing the filter. The Superintendent or designee may take disciplinary measures when any of the following actions occur:

1. Using obscene language;
2. Accessing or creating pornographic files or sites and/or other inappropriate material;
3. Harassing, insulting, threatening, alarming, or attacking others;
4. Damaging computers, computer systems, or computer networks;
5. Violating copyright, trademark, trade secret, or other intellectual property laws;
6. Using or participating in chat lines, chat rooms, and social networking sites for personal and/or non curricular purposes;
7. Using another's password or representing oneself as another;
8. Trespassing into another's folders, work, or files;
9. Intentionally wasting network resources including, but not limited to, emailing chain letters and/or broadcasting inappropriate messages;
10. Employing the network for political purposes as defined by state law, financial gain, and/or commercial purposes;
11. Revealing anyone's personal information such as, but not limited to, an address or phone number without appropriate consent. Students are prohibited from revealing personal information about themselves and/or others without obtaining written consent in accordance with the Federal Education Rights and Privacy Act and receiving administrative approval;
12. Other activates or actions deemed inappropriate and not in the best interest of the District, its employees, and students.

Violations

Violation of this policy will, at a minimum, result in the following disciplinary consequences for students:

1. First offense (Level I)
 - a. Loss of EDUTECH/email and Internet privileges for four weeks.
 - b. Parents contacted.
2. Second offense (Level II)
 - a. Loss of EDUTECH/email and Internet privileges for at least the remainder of the year.
 - b. Parents contacted.
3. A student may be subject to Level II disciplinary action on his/her first offense if administration deems this necessary based on the severity of the offense.

Violations of this acceptable use policy or any applicable federal or state law, rule, or regulation may also result in disciplinary action up to and including expulsion for students or termination of employment for staff.

Consent

All students and staff must consent to this policy in writing prior to accessing district networks and/or computers.

COPYRIGHTED MATERIAL & INTELLECTUAL PROPERTY

Copyright Prohibitions

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

Violations

Administration shall investigate all complaints of alleged copyright violations. Students and employees who willfully disregard the district's copyright position are in violation of board policy and shall be subject to disciplinary consequences in accordance with applicable policies and law.

DAILY SCHEDULE

The Breakfast Program is available from 7:45 AM - 8:10 AM. School personnel will provide outside supervision from 8:00 AM - 8:15 AM. School is dismissed at 3:00 PM. School personnel will not provide indoor supervision before 7:45 AM and after 3:15 PM.

School Time Schedule:	7:30 – Student May Enter Building
	7:45-8:10 – Breakfast
	8:15 – School Begins
	8:20 – Tardy Bell
	3:00 – End of School Day

DISPUTE RESOLUTION PROCEDURE

Process

Any individual who believes that the Williston School District has violated the regulations or law governing a Title program should submit a complaint to the building principal at P.O. Box 1407, Williston, ND 58802-1407. The principal shall investigate the complaint and provide the individual with a written response within 30 days or as soon as practicable.

The complaint must include:

1. The date.
2. A detailed description of the complaint, including specific facts.
3. The signature of person making the complaint.

If the complainant is dissatisfied with the response, the complainant may submit an appeal request to the District Title Program Director. The District Title Program Director shall issue a written response to the complainant as soon as practicable not to exceed 30 days.

Reconsideration

If the complaint is not resolved to the satisfaction of the complainant at the district level, the complainant may forward the complaint to the Title Program Director, Department of Public Instruction, 600 East Boulevard, Bismarck, ND 58505. DPI has established a reconsideration procedure in the event that a complainant is dissatisfied with the State Title Program director's decision.

Once the state-level complaint review process has been exhausted, a complainant may forward the complaint to the Secretary of Education, U.S. Department of Education, 555 New Jersey Avenue, NW, Washington, DC 20208.

DRILLS – Fire and Tornado/Emergency Codes

Fire and tornado drills will be conducted on a regular basis. Evacuation plans will be presented to all personnel and will be discussed and practiced with the students.

In the case of an emergency situation, the following codes will be used:

CODE YELLOW (Eyes and Ears open - precautionary step)

- Classes continue with enhanced hallway supervision by instructors between classes
- Students are allowed limited movement based on teacher approval with hall pass
- Teachers will report any suspicious people or activities to the front office
- Additional supervision at recess
- No announcement made to students

CODE ORANGE (Potential for harm is evident)

- Classes continue with enhanced hallway supervision by instructors between classes
- Students are not allowed in the hallway during classes
- Teachers will report any suspicious people or activities to the front office
- Passing periods will continue normally with enhanced supervision by all staff

- All Classroom doors closed and locked
- PE classes must remain on campus
- All exit doors will be monitored as needed

CODE RED (Imminent threat)

- All classroom doors closed and locked
- Stairwells and hallway separation doors closed
- Main office is locked
- Blinds pulled where applicable
- No movement in the hallways, bathrooms, labs, etc.
- Lights off; Sit in strategic areas of classroom
- ABSOLUTE SILENCE!
- NO MOVEMENT OR SOUND until ALL CLEAR announced

EDUCATIONAL SERVICES

Williston Public Schools are members of WilMac Special Education Unit. WilMac provides the following services for eligible students: speech therapy, learning disabilities instruction, occupational therapy, physical therapy, and learning services for children with emotional/behavioral challenges, intellectual disabilities, and severely multiple handicaps.

Title I/tutoring services are also available for students. The purpose of this program is to give identified students additional support above and beyond the primary instruction they receive in the classroom.

Please contact your building principal for more information.

ELECTRONICS/CELL PHONE USAGE

Personal electronic devices (e.g. tablets, cell phones) may be used for educational purposes upon written approval from the building administrator and parents. The school/district is not responsible for lost, stolen, or damaged property. The use of these devices is governed by the Acceptable Use Policy for Technology Tools. The Williston Public Schools Technology Department will provide minimal to no support for the device beyond basic instructions on how to connect to the Williston Public School District wireless network if such instructions are requested. Access to the school district wireless network will be granted only through use of an individual logon.

The use of cell phones by students during the school day will not be allowed, except under teacher direction. If a student is caught violating this policy, he/she will face the following consequences:

1st Offense: item is taken and held in the office and returned at end of day.

All other offenses: item in the office until the parent picks up the device.

Possession and/or use of any image-recording device in an area where there is a reasonable expectation of privacy is strictly prohibited and will result in confiscation of the device.

If a student's cell phone or other electronic device is confiscated, the building principal or Superintendent may search the confiscated device in accordance with the district's searches or students policy. If a school official suspects that a student possesses or is disseminating image that potentially violated CDCC 12.1-27.1-03.3 or finds such an image during a search of an electronic device performed in accordance with policy, s/he may report this matter to law enforcement for investigation. Disciplinary action up to and including suspension and /or expulsion may also be taken against any student using an electronic device in a manner that violates another district policy and/or causes substantial disruption to the educational environment.

ENGLISH LEARNERS

· All new and transferring students will complete a registration packet which includes a Home Language Survey (HLS). A copy of the HLS will be sent to the EL coordinator.

♣ If the HLS indicates that another language is spoken in the home and may have a significant influence on the student's academic success, the EL coordinator or teacher will arrange for testing. The MODEL or WIDA Screener (ELP screener assessment) needs to be completed within 14 days of enrollment once the school year is in progress or within 30 days of the beginning of the school year. If the student has transferred from another school district, the EL teacher should check the cumulative file for previous ELP testing information.)

♣ Based on the MODEL or WIDA Screener results, or file review for a transfer student, the student's level of English language support is determined and the student is placed accordingly in EL services.

♣ An Individual Language Plan (ILP) will be written for all students identified as Limited English Proficient. The ILP team will consist of the EL teacher, the school administrator or designee, all mainstream teacher(s), and parents. The EL team is required to update the ILP on a yearly basis.

Program Models

The WPSD #1 language acquisition programming has three different models: Pull-out, Push-in, and Monitor Status. The following is a description of each program model.

Pull-out instruction The EL pull-out program is accomplished by pulling students out of the regular classroom. The elementary EL instructor and elementary classroom teachers choose a time when students will miss the least possible core content instruction. Secondary students have an ESL class scheduled into their day. EL teachers use EL material from Cornerstone (elementary) and Keystone (secondary) as well as those from the curriculum followed in the mainstream classroom.

Push-in instruction Students are served in a mainstream classroom. Through this program students are exposed to language modeling and academic instruction in English with the support of the EL teacher.

Monitor Status Students attend mainstream classes throughout the day. The EL teacher will monitor the student by collaborating with the classroom teacher on the student's academic progress on a regular basis.

FEES

The Board will establish and reassess student fees in accordance with law on an as needed basis. The Superintendent shall establish school fine amounts as permitted by law.

When a parent/guardian is unable to pay a fee in full, the Superintendent is authorized to waive or reduce this fee.

The Board has adopted the following specific policy with relation to student fees for driver's education and for courses that generate products that become the personal property of the student.

The District may pursue the collection of any outstanding bills, including use of a collections agency and/or filing a claim in small claims court. The Superintendent, in accordance with law, may impose further penalties on students for failure to pay fees/fines.

FIELD AND OTHER SCHOOL SPONSORED TRIPS

Classes may take educational field trips to enhance the curriculum. Parents may be asked to chaperone field trips. Only children in the classes going on the field trip are allowed to participate. No preschoolers are allowed on school system buses. Students may be excluded from going on a field trip due to inappropriate behavior-

Fees

Students may be required to pay admissions fees associated with a field and/or school-sponsored trips. These fees may

be waived in cases of hardship or, when the trip is part of the curriculums, students may be given an alternative assignment. Requests to waive fees shall be made in accordance with the students fees policy.

Participation Requirements

Written parental approval shall be obtained prior to each field and school-sponsored trip. Students shall be subject to all applicable district policies and regulations while on field and/or school-sponsored trips. Parents and students shall be made aware of any applicable field trip rules prior to each trip.

GRADING SCALE

Williston Public Schools uses the following grade scale:

- A: 92-100**
- B: 83-91**
- C: 74-82**
- D: 65-73**
- F: 64 and below**

HAZING

Definitions

- *Hazing* means committing an act against a student or coercing a student into committing an act that creates a risk of harm to a person in order for the student to be initiated into or affiliated with a school-sponsored student organization or for any other school-related purpose.

Hazing includes, but is not limited to:

- a. Any type of physical brutality such as whipping, beating, striking, branding, electric shocking, or placing a harmful substance on the body.
 - b. Any type of physical activity that adversely affects the mental or physical health or safety of the student such as, but not limited to: sleep deprivation, exposure to extreme weather, confinement in a restricted area, calisthenics, or other activity that subjects the student to a risk of harm.
 - c. Any activity involving the consumption of any alcoholic beverage, drug, tobacco product, or any other food, liquid, or substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
 - d. Any activity that intimidates or threatens the student with ostracism; subjects a student to stress, embarrassment, shame or humiliation; adversely affects the mental health or dignity of the student; or discourages the student from remaining in school.
 - e. Any activity that causes or requires the student to perform a task that involves violation of state or federal law or of school district policies or regulations.
- *Retaliation* includes, but is not limited to, any form of intimidation, reprisal, or harassment.

Prohibitions

The Board believes that hazing is seriously disruptive to the educational environment and is therefore strictly prohibited on and off school property and at school-sponsored events. No student, district employee, volunteer, or contractor shall plan, direct, encourage, aid, or engage in hazing. No district employee, volunteer, or contractor shall permit, condone, or tolerate hazing.

The District must receive actual notice of a hazing in order to respond in accordance with the investigation procedure contained in this policy. Individuals found to be in violation of this policy shall be subject to disciplinary consequences in accordance with district policy and law. In addition, the District may refer individuals in violation of this policy to law enforcement.

Apparent permission or consent by a person being hazed does not lessen the prohibitions or consequences contained in this policy.

Reporting Requirements

Any person who believes s/he has been the victim of hazing or any person with knowledge or belief that conduct that may constitute hazing has occurred shall report the alleged acts immediately to a teacher, building principal, or the Superintendent. Teachers who receive a hazing complaint shall immediately report it to the building principal.

Submission of a good faith complaint or report of hazing will not affect the complainant's future employment, grades, or work assignments. Any district student, employee, volunteer, or contractor shall be subject to disciplinary action in accordance with district policy and law if any such individual retaliates against an individual who makes a good faith report of alleged hazing or any person who testifies, assists, or participates in a proceeding or hearing relating to hazing.

The District must receive actual notice of hazing in order to respond in accordance with the investigation procedure contained in this policy. Every report of hazing shall be investigated by the administrator to whom it is reported except when the administrator is the subject of the complaint. In such cases, the administrator's immediate supervisor shall conduct the investigation.

The Board President shall conduct the investigation when the Superintendent is the subject of the complaint.

The investigator may request assistance or designate a third party to conduct the investigation.

The District may take immediate steps, at its discretion, to protect the complainant, students, or others pending completion of an investigation of hazing.

Upon completion of the investigation, the District will take appropriate action. Such action may include, but is not limited to: warning, in-school or out-of-school suspension, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline prohibited behavior.

School district action taken for violation of this policy will be consistent with applicable statutory authority and school district policies and regulations. A complainant may appeal the findings of a hazing investigation to the Superintendent except when the Superintendent is the subject of the complaint or when the Superintendent conducts the initial complaint investigation. The superintendent's decision shall be final and binding.

HEAD LICE

Head lice are frustrating, a nuisance and very communicable. When every parent takes responsibility to check their child/children's heads and screen the entire family, lice can be detected early and controlled. Children should not share coats, hats, scarves or brushes with other children. If head lice do occur, please contact the school immediately.

The elementary schools will have periodic head lice checks throughout the school year. If head lice/nits are found students will be sent home. Upon being nit free, a student may return to school.

HOMEWORK

Periodically, homework will be sent home for students to complete. Please be sure that your child has a quiet, undisturbed place to do their work.

Homework:

- Provides essential practice in needed skills
- Trains students in good work habits
- Affords opportunities for increasing self-direction
- Enriches and extends school experiences
- Brings students in contact with out-of-school learning experiences
- Promotes growth in responsibility

IMMUNIZATION

NDCC 23-07-17.1 The parents or guardians of each child admitted to the schools shall present a certification from a licensed physician or authorized representative of a State Department of Health that the child has received or is the process of receiving those immunizations required by law except as exempted by law. Failure to provide immunization records by October 1 or within 30 days of enrollment in school may result in the child's removal from school.

INFECTIOUS DISEASES

Students with infections such as pink eye, influenza, etc. are asked to stay home from school until they are no longer contagious. Parents are asked to report such illnesses to school personnel.

INSURANCE

The Williston Public School District #1 does not have special accident insurance coverage for students. It is suggested that each family/student contact their personal insurance agent/broker to determine their individual needs for accident insurance coverage.

LEGAL CUSTODY

Parents/guardians who are divorced/separated and have children enrolled in this school district should submit to the building principal's office legal documentation indicating who has custody, visiting rights and who may receive information pertaining to the child/children's progress in school. This is important in cases in which one parent is legally denied contact with the child. In such cases the school will make every effort to cooperate with court orders.

LEGAL NAME

Each child's legal name, the name found on their birth certificate or court ordered documents, will be used on all educational forms and records.

LIBRARY PROGRAM

The library is a valuable resource that should be utilized on a regular basis. The librarian will make arrangements so all students have the opportunity to check out books weekly.

LOCKERS and LOCKER SEARCHES

The District retains ownership and control of all lockers. Access to all lockers is a legal right of school officials whose responsibility it is to protect the health, safety, and welfare of all students enrolled. Students shall have no reasonable expectation of privacy when using lockers. Student shall be given advanced notice of this policy through student handbooks or another form of notification.

Lockers may be subject to suspicion-less searches, inspections for purposes such as routine maintenance, or searches where there is suspicion that locker(s) contains objects/substances that are illegal, violate school policy, or may be detrimental to the health, safety, or welfare of district students.

Search Procedure

When a locker is subject to a search, the principal/Superintendent should be accompanied by at least one other school staff member.

Students' personal items stored in lockers such as, but not limited to, book bags, purses, and coats shall not be searched unless there exists reasonable suspicion that they contain an object(s) or substance(s) in violation of school rules/policy, the law, or which may be detrimental to the health, safety, or welfare of enrolled students. Administrators shall make a reasonable attempt to have students present during searches of personal items contained in lockers except when an immediate search is necessary in the event of an emergency.

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

Use of Trained Dogs & Involvement of Law Enforcement

Trained dogs may be used to smell the outside of students' lockers. If the dog detects the possibility of objects/substances that are illegal or violate school policy, the principal/Superintendent shall search the locker in accordance with the search procedure above.

In the event a police officer or other law enforcement officer is to conduct a search of a student's locker, probable cause is necessary unless the search is school-initiated and would pose a safety threat if conducted by school staff.

Illegal substances found in lockers will be turned over to proper authorities.

MCKINNEY VENTO HOMELESS ACT

It could happen at any time, but currently due to the booming economy and lack of affordable housing in Williston, more area families are finding themselves living in temporary situations. According to the federal McKinney Vento Act, when a student "lacks a fixed, regular and adequate nighttime residence", whether it's living in a camper, at a campground, at a hotel or doubled up with friends or family due to economic hardship or similar reasons, they are considered homeless. These students in transition, from preschool through high school, including unaccompanied youth, may face unique barriers when it comes to education. The McKinney Vento Act was designed to address these issues and all school districts are required to designate a liaison to serve these students.

In compliance with this federal law and state requirements, WPSD #1 has a written "Students in Transition" policy and employs a Homeless Liaison to work directly with these students. The main goal is to ensure that even though their living situation is temporary, these students encounter no barriers to a free, public education. The three key provisions of the McKinney Vento Act, school access, school stability, and support for academic success are the framework for providing services. Services are designed to eliminate or minimize any barriers a family may face in their efforts to keep their student enrolled, attending and fully participating in school at every level. It is also meant to connect these students and/or families with existing community resources to assist them in areas outside of education.

Your Rights if You Live in a Temporary Situation:

McKinney-Vento is a federal law designed to remove barriers to education created by homelessness and provide for the educational rights of students in transition. McKinney Vento services may be provided to children and youth who lack a permanent, regular, adequate, fixed night time residence and instead live in any of the following situations due to economic hardship, loss of housing or similar reason:

- Living "doubled up" with relatives or friends due to economic hardship, loss of housing or a similar situation
- In an emergency or transitional shelter
- In a motel, hotel, RV park or campground due to lack of alternative housing
- In a car, park, abandoned building, camper, bus/train station, substandard housing
- Moving from one place to another ("couch surfing")
- Awaiting foster care placement

If you believe your children may be eligible, contact Debra Roel at 1-701-572-1580 or 1-701- 751-5087.

MEDICATION

A policy will be made available for dispensing medications when it becomes available by Williston Public School District #1. This is in accordance with the North Dakota School Board Association.

NEW STUDENT SCREENING

All students new to the district will be screened in reading and math to determine the appropriate placement into the reading and math programs/intervention necessary for each student to increase their academic achievement.

NONDISCRIMINATION AND ANTI-HARASSMENT POLICY

General Prohibitions

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

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

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

Definitions

- *Complainant* is the individual filing the complaint. If the complainant is not the victim of the alleged discrimination and/or harassment, the victim must be afforded the same rights as the complainant under this policy and regulation AAC-BR.
- *Disability* is defined in accordance with NDCC 14-02.4-02 (5).
- *Discrimination* means failure to treat an individual equally due to a protected status.
- *Protected status* is defined in applicable state (NDCC 14-02.4-02 (6)) and federal laws.
- *Employee* is defined in accordance with NDCC 14-02.4-02 (7).
- *Harassment* is a specific type of discrimination based on a protected status. It occurs under the following conditions:
 - a. For employees: When enduring the offensive conduct becomes a condition of continued employment, or the conduct is severe or pervasive enough to create a work environment that a reasonable individual would consider intimidating, hostile, or abusive
 - b. For students: When the conduct is sufficiently severe, persistent, or pervasive so as to limit the student's ability to participate in or benefit from the education program or to create a hostile or abusive education environment.
- *Section 504* (Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. §794) is a federal law designed to protect the rights of individuals with disabilities in programs and activities that receive federal financial assistance from the U.S. Department of Education.
- *Sexual harassment* is a form of harassment based on sex or gender identity. It is defined as unwelcome sexual advances, requests for sexual favors, and/or other verbal, written, or physical conduct or communication of a sexual nature when:
 - a. It is quid pro quo, meaning submission to such conduct or communication is made a term or condition, either explicitly or implicitly, of the basis for employment decisions or educational decisions or benefits for students (e.g., receiving a grade); or
 - b. It creates a hostile environment, meaning unwelcome sexual conduct or communication that is sufficiently serious to deny or limit a student's ability to participate in or benefit from the school's

program(s). For employees a hostile environment is created when submission to unwelcome sexual conduct is made, either explicitly or implicitly, a term or condition of an individual's employment.

- *Sexual harassment examples* include:
 - a. Sexual or "dirty" jokes;
 - b. Sexual advances;
 - c. Pressure for sexual favors;
 - d. Unwelcome touching, such as patting, pinching, or constant brushing against another's body;
 - e. Displaying or distributing of sexually explicit drawings, pictures, and written materials;
 - f. Graffiti of a sexual nature;
 - g. Sexual gestures;
 - h. Touching oneself sexually or talking about one's sexual activity in front of others;
 - i. Spreading rumors about or rating other's sexual activity or performance;
 - j. Remarks about an individual's sexual orientation; and
 - k. Sexual violence including rape, sexual battery, sexual abuse, and sexual coercion
- *Title II* (Title II of the Americans with Disabilities Act) extends the prohibition on discrimination established by Section 504 to all services, programs, and activities of state and local government entities.
- *Title IX* is a federal law that protects people from discrimination based on sex in education programs or activities that receive federal financial assistance.

Complaint Filing Procedure

The Board shall create an informal and formal discrimination and harassment complaint filing procedure in board regulations coded AAC-BR. The procedure provides for an impartial investigation free of conflicts of interest. Nothing in this policy or in the discrimination and harassment grievance procedure prevents an individual from pursuing redress through state and/or federal law.

Confidentiality

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

Complaint Recipients

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

Policy Training and Dissemination

The Board authorizes the Superintendent to develop discrimination and harassment awareness training for students and employees. In addition, the Superintendent shall display this policy and complementary grievance procedures in a prominent place in each district building and publish it in student and employee handbooks.

Grievance Coordinators

The Title IX coordinator's responsibilities include overseeing the district's response to Title IX reports and complaints and identifying and addressing any patterns or systemic problems revealed by such reports and complaints. The Title IX Coordinator must have knowledge of the requirements of Title IX, of the district's policies and procedures on sex discrimination, and of all complaints raising Title IX issues throughout the District. To accomplish this, the Title IX Coordinator must be informed of any report or complaint raising Title IX issues, even if the report or complaint was initially filed with another individual or office or if the investigation will be conducted by another individual or office. The Board designates the Human Resource Director as the Title IX Coordinator. He/She may be contacted at 701-572-1580.

The 504/Title II coordinator's responsibilities include overseeing the district's response to disability discrimination reports and complaints. The 504/Title II Coordinator must have knowledge of the requirements of Section 504 and Title II, of the district's policies and procedures on disability discrimination, and of all complaints raising Section 504/Title II issues throughout the District. To accomplish this, the 504/Title II Coordinator must be informed of all reports and complaints raising Section 504/Title II issues, throughout the District. To accomplish this, the 504/Title II Coordinator must be informed of any report or complaint raising Section 504/Title II issues, even if the report or complaint was initially filed with another individual or office or if the investigation will be conducted by another individual or office. The Board designates the Assistant Superintendent as the 504/Title II Coordinator. He/She may be contacted at 701-572-1580.

The nondiscrimination coordinator's responsibilities include overseeing the district's response to discrimination and harassment reports and complaints that do not include sex or disability, but instead the other protected statuses. The Board designates the Human Resource Director as the Nondiscrimination Coordinator. He/She may be contacted at 701-572-1580.

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

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

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.

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.

Complaint Filing Format and Deadlines

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

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.

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.

Prohibition on Meeting with the Accused

At no time during the informal or formal resolution process shall the complainant be required to meet with the accused. If the appropriate grievance coordinator assigned to conduct or oversee the investigation is the accused, the

Superintendent or Board President (if the Superintendent is the accused) shall designate a different individual (which may be a third party) to carry out the accused's responsibilities associated with the investigation.

Third-Party Assistance

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

Investigation Timeframes

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

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

Interim Measures

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

Informal Resolution Procedure

This procedure may only be used when mutually agreed to by the complainant, the accused, and the appropriate grievance coordinator. This procedure shall 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 solution, 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 grievance procedure.

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 the resolution procedure regardless of the criminal investigation 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.

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;
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.

Disciplinary Action

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

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

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

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

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

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

Notice of Outcome

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

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

Investigation Materials

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

NORTH DAKOTA’S COMPREHENSIVE MODEL SCHOOL POLICY FOR TOBACCO USE

Definitions

For purposes of this policy, *tobacco* is defined to include any product that contains tobacco, is manufactured from tobacco, and contains nicotine, e-cigarettes, and other electronic smoking devices. This excludes any FDA-approved nicotine replacement therapy.

Rationale for Regulating Possession & Use

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

1. Reduce the high incidence of tobacco use in North Dakota.
2. Protect the health and safety of all students, employees, and the general public.
3. Set a non-tobacco-use example by adults.

Tobacco use is the leading cause of preventable death and disability in North Dakota. To support and model a healthy lifestyle for our students, the Williston School Board establishes the following tobacco-free policy.

Use & Possession Prohibitions

1. **Students:** Possession and/or use of tobacco products by students on district property, in district vehicles, and at school-sponsored events (whether on or off district property) is prohibited at all times.
2. **Staff/Visitors:** The use of tobacco products by all school employees and visitors on district property, in district vehicles, and at school-sponsored events (whether on or off district property) is prohibited.

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

3. **Additional:** The District will not allow advertising of tobacco products in school buildings, on school property, at school functions, on district property, or in any school publications. This includes clothing that advertises tobacco products.

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

Communicating to Students, Staff, & Public

This policy will be printed in employee and student handbooks. The District shall comply with all smoking prohibition posting requirements in NDCC 23-12-10.4 and post such notices in other highly visible places in all district schools and property, such as, but not limited to: school playgrounds, athletic fields, and school-sponsored events (on district property). Parents will be sent notification in writing, and the local media will be asked to communicate this tobacco-free policy communitywide.

Responsibility for Violations

All individuals on the district's premises share in the responsibility for adhering to and enforcing this policy. The Superintendent shall develop regulations for the enforcement and implementation of this policy.

Tobacco Cessation Services

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

PARENT ADVISORY COUNCIL (PAC)

The PAC is an advisory body to the Superintendent. The PAC identifies, studies, and makes recommendations in the areas identified. The PAC addresses issues brought to its attention by staff members, the principals, teacher representatives, and parent representatives. These are public meetings and everyone is welcome to attend. If you are interested in serving on the council please contact the Superintendent at 701-572-1580.

For more information go to the Parent Advisory Council link on the school district website: <http://www.willistonschools.org>.

PARENTAL CONCERNS

In order to provide an effective procedure for responding to complaints in a manner that is in the best interests of promoting better educational opportunities for children, the following policy is adopted.

Complaints should be resolved at the lowest possible level of authority. If the complaint cannot be satisfactorily resolved at that level, the complaint shall be directed to the principal or other supervisor directly responsible for supervision of that employee. The supervisor shall:

1. Investigate the complaint.
2. Promptly notify the employee if the complaint is to be placed in the employee's personnel file. The decision to place information into any personnel file will be made by the administration based on the results of an inquiry or investigation.
3. Schedule a meeting of the employee, the complainant, and the supervisor if deemed appropriate.
4. Provide a response to the complainant within sixty (60) days of receipt of the complaint. Upon conclusion of the investigation, the complainant will be informed as to the outcome of the investigation and the disposition of the complaint. If either party is not satisfied with the handling of the complaint, the matter can be appealed to the Superintendent for final resolution.

To be considered for investigation, any such complaint must have been filed within 180 days of the alleged occurrence. (Exception to the 180 days would be an accusation of sexual abuse.) The District has a separate investigation procedure for complaints of harassment and/or discrimination.

Complaints about the Superintendent shall be directed to the Board President, who shall follow the same procedure.

This procedure is intended to minimize the risk of a possible action for libel or slander, to retain the impartiality of the Board, and to maximize compliance with North Dakota law.

PARENTAL INVOLVEMENT

The Williston School District agrees to implement the following statutory requirements:

1. The District will put into operation programs, activities, and procedures for the involvement of parents in all of its schools with Title I programs. Those programs, activities, and procedures will be planned and operated with meaningful consultation with parents of participating children.
2. The District will work with its schools to ensure that the required school-level parental involvement policies meet the Title I requirements, and include, as a component, a school-parent compact.
3. The District will incorporate this district-wide parental involvement policy into its district plan.
4. In carrying out the Title I parental involvement requirements, to the extent practicable, the District and its schools will provide full opportunities for the participation of parents with children with limited English proficiency, parents with children with disabilities, and parents of migratory children, including providing information and school reports in an understandable and uniform format and, including alternative formats upon request, and, to the extent practicable, in a language parents understand. Methods of dissemination could include:
 - a. Channel 19;
 - b. Reports cards and progress reports;
 - c. School Open House;
 - d. Middle School orientation;
 - e. Regularly scheduled parent/teacher conferences,
 - f. Williston Public School website;
 - g. Newsletters;
 - h. Parent Advisory Council.
5. If the district plan for Title I is not satisfactory to the parents of participating children, the District will submit any parent comments with the plan when the District submits the plan to the Department of Public Instruction.

6. The District will involve the parents of children served in Title I schools in decisions about how the one percent of Title I funds reserved for parental involvement is spent and will ensure that not less than 95 percent of the one percent reserved goes directly to the schools.
7. The District will be governed by the following statutory definition of parental involvement, and expects that its Title I schools will carry out programs, activities, and procedures in accordance with this definition:
Parental involvement means the participation of parents in regular, two-way, and meaningful communication involving student academic learning and other school activities, including ensuring:
 - a. that parents play an integral role in assisting their child's learning;
 - b. that parents are encouraged to be actively involved in their child's education at school;
 - c. that parents are full partners in their child's education and are included, as appropriate, in decision-making and on advisory committees to assist in the education of their child;
 - d. the carrying out of other activities, such as those described in section 1118 of the ESEA.
8. The District will inform parents and parental organizations of the purpose and existence of the Parent Information Resource Centers in North Dakota (i.e., NDPIRC in Minot, ND).

Parental Involvement Policy Requirements

1. The Williston School District will take the following actions to involve parents in the joint development of its district parental involvement plan:
 - a. District-wide Parent Advisory Council meets to outline district plan. Committee members include parents, school staff, district parenting coordinator;
 - b. Committee members gather additional input through school PTO meetings.
2. The Williston School District will provide the following necessary coordination, technical assistance, and other support to assist Title I schools in planning and implementing effective parental involvement activities to improve student academic achievement and school performance:
 - a. The district office will provide, as necessary staff professional development opportunities in planning and implementing effective parental involvement activities;
 - b. Promote dissemination of materials from supporting agencies such as: NDPRIC and NDSU Extension Service;
 - c. The district parenting coordinator will serve as the district contact for parent involvement communications.
3. The Williston School District will convene an annual meeting, at a convenient time, to which all parents of participating children shall be invited and encouraged to attend, to inform parents of their school's participation under this part and to explain the requirements of this part, and the right of the parents to be involved. The annual meeting will be held at each school during the Fall Open House held in August/ September.
4. The Williston School District will offer a flexible number of meetings, such as meetings in the morning or evening, and may provide, with funds provided under this part, transportation, child care, or home visits, as such services relate to parental involvement.

Parents will continue to be invited to contact their child's teacher to arrange meetings that are convenient to all parties.
5. The Williston School District will build the schools' and parents' capacity for strong parental involvement, in order to ensure effective involvement of parents and to support a partnership among the school involved, parents, and the community to improve student academic achievement, through the following activities specifically described below:
 - a. The District will, with the assistance of its Title I schools, provide assistance to parents of children served by the District or school, as appropriate, in understanding topics such as the following:
 - i. the state's academic content standards,
 - ii. the state's student academic achievement standards,
 - iii. the state and local academic assessments including alternate assessments,
 - iv. the requirements of Title I,
 - v. how to monitor their child's progress, and
 - vi. how to work with educators

by undertaking the actions described in this paragraph the District will schedule opportunities for open discussion and questions on the state standards and benchmarks through regularly scheduled

parent/teacher conferences and appropriate family activity events. Parents will be notified that the state standards and benchmarks can be viewed on the district's website, at each school building, and copies will be made as requested.

- b. The Williston School District will provide parents of participating children, if requested by parents, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children, and respond to any such suggestions as soon as practically possible.
 - c. The District will, with the assistance of its Title I schools, provide materials and training to help parents work with their children to improve their children's academic achievement, such as literacy training and using technology, as appropriate, to foster parental involvement, by offering opportunities to participate in:
 - i. Literacy and Math events;
 - ii. Family fun nights;
 - iii. Homework help tips;
 - iv. *Parent Further* website;
 - v. Power School access;
 - vi. Email communication;
 - vii. Web resources;
 - viii. *Imagination Library*;
 - ix. Website links to: NCA Parent Resource www.nea.org/parents and NCPIE www.ncpie.org
 - x. Gearing up for Kindergarten.
 - d. The District will, with the assistance of its Title I schools and parents, educate its teachers, pupil services personnel, principals and other staff, in how to reach out to, communicate with, and work with parents as equal partners, in the value and utility of contributions of parents, and in how to implement and coordinate parent programs and build ties between parents and schools, by: using various community support organizations such as:
 - i. NDPIRC,
 - ii. Great Northwest Education Cooperative,
 - iii. Scheduled teacher in-service.
 - e. The District will, to the extent feasible and appropriate, coordinate and integrate parental involvement programs and activities with Head Start, Reading First, Early Reading First, Even Start, Home Instruction Programs for Preschool Youngsters, the Parents as Teachers Program, and public preschool and other programs, and conduct other activities, such as parent resource centers, that encourage and support parents in more fully participating in the education of their children, by supporting activities during the Week of the Young Child and the Parenting Fair at the Upper Missouri Valley Fair.
 - f. The District will take the following actions to ensure that Title I information related to the school and parent-programs, meetings, and other activities, is sent to the parents of participating children in an understandable and uniform format, including alternative formats upon request, and, to the extent practicable, in a language the parents can understand. Methods of dissemination could include.
 - i. Channel 19;
 - ii. Report cards and progress reports;
 - iii. School Open House;
 - iv. Middle School Orientation;
 - v. Regularly schedule parent/teacher conferences;
 - vi. Williston Public School website
 - vii. Newsletters;
 - viii. Parent Advisory Council.
6. The Williston School District will coordinate and integrate parental involvement strategies under Title I with parental involvement strategies under Head Start using program directors as the communications link between entities.
 7. The Williston School District will take the following actions to conduct, with the involvement of parents, an annual evaluation of the content and effectiveness of this parental involvement policy in improving the quality of its Title I schools. The evaluation will include identifying barriers to greater participation by parents in parental

involvement activities (with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background). The District will use the findings of the evaluation about its parental involvement policy and activities to design strategies for more effective parental involvement, and to revise, if necessary, its parental involvement policies.

The District Parenting Coordinator will develop a survey for all parents to be administered at Spring Parent/Teacher Conferences with results shared with school administrators and parents.

8. The Williston School District will take the following actions to involve parents in the process of school review and improvement:
 - a. AdvancED evaluation planning;
 - b. Spring Title I parent survey and annual review;
 - c. School site PTO committee reviews;
 - d. Parent Advisory Council.

PARENT INVOLVEMENT IS THE KEY

Research has shown that when a parent is actively involved in their child's education the benefits are far reaching for the child, the parent and the school. Over the years expectations have changed and the types of parent involvement have grown to include a more extensive view of how and what parents can do to be involved. Williston Public School District #1 bases its Parent Involvement policy and all subsequent activities and events on this expanded view of parent involvement. We recognize that creating a warm, welcoming climate within the schools and building a positive connection between the school and the families is the best way to develop an effective working relationship between these very important groups of people.

Parent involvement is also an important piece of new state and federal policies, such as No Child Left Behind, that direct school districts. To meet those requirements, Williston Public School District #1 created a Parent Involvement Policy and hired a Parent Involvement Coordinator to assist the schools in reaching parents and creating and maintaining the valuable parent-child-school connection. By providing opportunities and implementing activities across all six types of involvement, schools and educators can help improve student achievement and experiences in school and help parents understand the importance of their role in their child's education both at home and in the school setting.

PARENT – TEACHER CONFERENCES

Conferences will be conducted twice during the school year. Samples of students' work will be saved for the two scheduled conferences. Informal parent-teacher conferences can also be conducted on an as needed basis as requested by the parent or teacher.

PARENT TEACHER ORGANIZATION (PTO)

The PTO promotes parent/school interaction and welcomes all parents and staff to join and participate. Parents can participate through committee work, fundraisers, and attendance at PTO meetings. All funds raised through PTO benefit the students.

PARTIES

School parties are held to celebrate: Halloween, Christmas and Valentine's Day. Your family may be asked to donate to the cost of these parties. Parents are encouraged to volunteer to help plan these parties. You are encouraged to find daycare for your non-school aged children. All party preparations must have teacher approval. If a parent does not want their child to attend class parties, due to religious preferences, please contact the building principal.

Invitations to outside functions are **NOT** to be distributed at school (e.g. birthday parties, slumber parties, etc.) unless the entire class is invited.

PROOF OF IDENTITY

Within forty days of enrollment, proof of identity of the child is required. If the school does not receive proof of identity, the local law enforcement authority will be notified that no proof of identity has been presented for the child.

- *Proof of identity* means a copy of a birth certificate, a certified transcript, or similar student records from the previous school.

PROMOTION AND RETENTION

Those students who have successfully completed the requirements of the grade and/or class shall be given a passing grade and be promoted to the next grade.

The well-being of the individual student shall be the primary factor to be considered when discussing whether or not a student shall be retained in their present grade. When retention is being considered for those students who do not meet the requirements of a grade the principal will convene a team consisting of the principal, parents, classroom teacher, WilMac special education representative, school psychologist, current teacher, receiving teacher, and school counselor. The team will complete the *Lights' Retention Scale* to guide them in determining retention. As part of the process, students may be assessed with an achievement, aptitude and/or ability test.

Final promotion and retention decisions rest with school authorities.

PROTECTION OF PUPIL RIGHTS AMENDMENT AND THIRD-PARTY RESEARCH ON STUDENTS

Surveys and educational studies can serve as a valuable tool for determining student needs and developing educational services.

Because of the possibility of a large number of outside requests to conduct surveys and research studies, the Superintendent shall only bring to the Board for approval¹ requests that at least meet the following criteria:

1. The study/survey is conducted for the purpose of improving the education or general welfare of students.
2. The party proposing the study/survey has a purpose and mission that is in keeping with the district's mission, goals, and objectives.
3. The study/survey proposal is sufficient in scope and depth to justify the use of the time and effort of district students and staff.
4. The party conducting the study/survey will provide a copy of the survey instrument and/or any instructional material that will be used including, but not limited to: textbooks, teachers' manuals, films, software, and/or other supplementary material. Such material must be provided prior to the initiation of the survey/study and in a timely manner, allowing the Superintendent and other relevant school officials ample opportunity to review such material, bring approval recommendations to the Board, and comply with any applicable parental notification and consent requirements under the Protection of Pupil Rights Amendment (PPRA) if the survey concerns a protected area or is for marketing purposes.²

¹ See NDCC 15.1-07-25.3

² **Protected areas** are as follows:

1. Political affiliations or beliefs of the student or student's parent;
2. Mental or psychological problems of the student or student's family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or student's parent; or
8. Income, other than as required by law to determine program eligibility.

Parental consent requirements: If a survey on a protected area is funded in whole or in part by a program of the U.S. Department of Education (ED), parental consent is required for students to participate. If a survey relates to a protected area and is funded by a source other than ED or if a survey on any topic is conducted for marketing purposes, schools must provide parents with advance notice of the survey and an opportunity to opt out.

5. Neither the study/survey nor its findings are reasonably predicted to exploit or compromise the safety of district students and staff.
6. The party conducting the study/survey agrees to provide a copy of the outcome/results to the District within a reasonable time after the study/survey's completion.

Before recommending to the Board for approval a study/survey, the Superintendent shall also take into account the amount of instructional time the survey/study will consume, if it will unduly disrupt the educational environment, the level of supervision the District will have to provide to third parties conducting the survey/study, the amount of protected/confidential information that will be gathered, and whether or not the agency conducting the survey/study has developed appropriate safeguards for collection, protection, disclosure, and use of protected/confidential information.

Teachers may use surveys in classes to determine student knowledge and/or attitudes prior to teaching about a particular subject provided that administrative approval has been given and provided that responses will not be used in a manner that would breach student confidentiality requirements under law and/or district policy.

Protection of Pupil Rights Amendment

The District shall comply with the Protection of Pupil Rights Amendment, which affords parents specific rights with relation to conducting surveys, collecting and using student information for marketing purposes, and conducting certain physical exams.

Under PPRA, parents are afforded the following rights:

1. Receive advance notice of any survey related to a protected area³ and an opportunity to opt in their child if the survey is funded by the U.S. Department of Education (ED) or opt out their child if the survey is not funded by ED.
2. Receive advance notice of any survey that will be used for marketing purposes and an opportunity to opt out their child.
3. Upon request, inspect a survey created by a third party or a survey that will be used for marketing purposes before the survey is administered or distributed by a school to a student; parents must file such requests with the building principal, and the building principal or designee will mail, email, or arrange for a parent to inspect the survey at school within a reasonable timeframe after receiving the request.
4. Upon request, inspect any instructional material used as part of the educational curriculum for his/her child; parents must file such requests with the building principal, and the building principal or designee will mail, email, or arrange for a parent to inspect the instructional material at school within a reasonable timeframe after receiving the request.
5. Receive advance notice of any nonemergency physical exam and an opportunity to opt out except when the physical exam is required by law.

Whenever administering or overseeing a survey or physical exam of students, the District will comply with student confidentiality requirements in law and applicable district policy.

⁴ See footnote one for a definition of protected area.

FAMILY EDUCATIONAL RIGHTS and PRIVACY ACT (FERPA) NOTIFICATION OF RIGHTS UNDER FERPA FOR ELEMENTARY AND SECONDARY SCHOOLS

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

⁴[1] When a teacher/principal participates in a juvenile court program and receives confidential information about a student.

1. The right to inspect and review the student's education records within 45 days after the day the Williston School District receives a request for access. Parents or eligible students should submit to the school principal a written request that identifies the records they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected in accordance with board regulation FGA-BR.²
2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. Parents or eligible students who wish to ask the Williston School District to amend a record should write the school principal, clearly identify the part of the record they want changed, and specify why it should be changed. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
3. The right to provide written consent before the school discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent. (See complete list on pp. 3-4 of this document). One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel, a person serving on the school board, school resource officers, and threat assessment team. A school official also may include a volunteer or contractor outside of the school who performs an institutional service of function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

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

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

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

Disclosure of PII without Consent

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

1. To other school officials, as defined in #3 above, within the educational agency or institution whom the school has determined to have legitimate educational interests. This may include contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in §99.31(a)(1)(i)(B)(I) - (a)(1)(i)(B)(2) are met. (§99.31(a)(1))

2. To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31(a)(2))
3. To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency in the parent or eligible student's State (SEA). Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§99.31(a)(3) and 99.35)
4. In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31(a)(4))
5. To state and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a state statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to §99.38. (§99.31(a)(5))
6. To organizations conducting studies for, or on behalf of, the school, in order to: develop, validate, or administer predictive tests; administer student aid programs; or improve instruction. (§99.31(a)(6))
7. To accrediting organizations to carry out their accrediting functions. (§99.31(a)(7))
8. To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8))
9. To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9))
10. To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10))
11. Information the school has designated as "directory information" under §99.37. (§99.31(a)(11))

RECESS

Students will go out for all recesses whenever weather and health permits. If a student is to stay inside during this time, a written request is required from the parent or guardian. Students are encouraged to go out for a few minutes each recess for fresh air. If the weather is very cold (greater than -10 degrees with wind chill), recess time may be limited. Students must be adequately dressed for the weather. This includes caps, coats, snow pants, and mittens or gloves. When the playground is muddy or very wet, overshoes, boots or other changes of footwear is required. When the playground is covered with snow, overshoes or boots are required. Please make sure your child has indoor shoes to wear during school hours. Each school has specific procedures for recess. Please see your building administrator.

REGISTRATION REQUIREMENTS

Parents must present proof of residency, up-to-date immunization records, a copy of the Birth Certificate, and custody/guardian papers, if appropriate, when enrolling their child in school. Failure to provide immunization records within 30 days of enrollment in school may result in the child's removal from school.

RELIGIOUS OBJECTS OR DOCUMENTS DISPLAYS

Classroom and school displays may include religious symbols. The displays must be temporary, require no active participation in any religious activity, and should include diverse religious, cultural, and ethnic symbols.

Requests to display a religious object, decoration, or document within a school shall be filed with the building principal and approval must be obtained prior to displaying the object, decoration, or document. Any such display shall meet the following criteria:

1. It is not a permanent display.
2. The educational purpose of the display is clearly articulated in the request, and the request outlines the manner in which this purpose will be relayed to students.
3. The cultural, legal, or historical significance of the religious document or object is clearly articulated in the request, and the request outlines the manner in which this significance will be relayed to students.
4. The influence that the religious document or object has had on the legal and governmental systems of the country or culture being studied is clearly articulated in the request, and the request outlines the manner in which the document/object's influence will be relayed to students.
5. The religious object or document is part of a larger display and is to be displayed in the same manner and appearance as other objects or documents in the display.
6. Nothing in the display shall call attention to the religious object or document apart from other objects or documents in the display.
7. The display is to be used as an illustration for purposes of the curriculum and is to be displayed in a classroom or library.

When a request to display a religious object/document/decoration is denied by administration, the requestor may file an appeal with a board-appointed review committee. The committee shall review the administrator's decision, take into account the above criteria, and issue recommendations to the Board as soon as practicable.

This policy does not govern nor will it infringe upon the rights of students and staff to wear religious symbols so long as doing so does not substantially disrupt the educational environment nor interfere with the rights of others.

This policy does not apply to secular displays of seasonal objects.

REPORT CARDS

Report cards, and progress notes for students with Individualized Educational Programs (IEP), are sent home at the end of each nine week period. These reports will contain information on the students' behavior and grade in each subject. Parents are encouraged to use Powerschool to check grades. Parental access to Powerschool may be obtained by contacting the school office.

RESIDENCY REQUIREMENTS

Only students who reside within the boundaries of Williston Public School District #1 may attend Williston Schools. Some exceptions may apply. Please contact the District Office at 572-1580 for more information.

If your address changes during the school year, please notify the school office immediately. Families who move out of the district during the school year may complete the current school year in Williston Public Schools, but may need to attend school in the new resident district the following year.

RESTRAINT and SECLUSION

The Williston School District prohibits district employees, contractors, volunteers, and other individuals serving or working in any capacity for the District from use of any form of restraint and/or seclusion on students except when the following conditions are met and then only in compliance with policy: An emergency situation necessitates the use of physical restraint or seclusion to control violent, disturbed, or depressed behavior which may immediately result, or has resulted, in harm to that person or other person or to control behavior that has or may immediately result in extreme or extension damage to property. Restraint or seclusion may also be used when authorized by a parent-approved plan such as, but not limited to, BIP, EIP, or 504 plan.

REVIEW & COMPLAINTS OF INSTRUCTIONAL & RESOURCE MATERIAL

In order to consider the opinions of those persons in schools and the community who are not directly involved with the instructional and resource material selection process, and to avoid the possibility of a biased or prejudicial attitude influencing selection, a board-appointed district review committee shall deal with formal complaints about and/or requests for reconsideration of library and instructional materials.

This committee shall be responsible for reviewing all selection standards and procedures and shall work with all departments in clarifying selection criteria. All citizen requests for reconsideration of and complaints about instructional and resource material will be processed through the District Review Committee.

A procedure for processing and responding to criticism of approved material shall be established and followed. This procedure shall include the use of a formal signed "Request for Reconsideration of Instructional Resources" form.

The District subscribes to the philosophy stated in the School Library Bill of Rights.

SEARCHES OF STUDENTS & STUDENTS' PERSONAL PROPERTY

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

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

Search Procedure

For the purposes of this policy, personal property includes, but is not limited to, a student's vehicle, backpack, book bag, and/or purse. Students may also be asked to empty their pockets; however, strip searches shall not be conducted.

Searches of persons should be conducted in private by a school employee of the same sex as the student with a school employee present as a witness.

Searches of Vehicles

The principal or designee, with a witness present, shall conduct searches of student vehicles if the vehicle is parked on school property and if reasonable suspicion exists. The principal shall make a reasonable attempt to contact the student who owns the vehicle and ensure s/he is present during the inspection unless an emergency situation is deemed to exist. If a vehicle is locked and its owner cannot be contacted or refuses to open it, the principal shall contact law enforcement.

Involvement of Law Enforcement

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

Illegal substances found during searches of students/students' personal property may be turned over to proper authorities.

Reporting Requirements

The administrator who authorized the search should notify the Superintendent whenever a search has been conducted.

SEXUAL OFFENDERS ON SCHOOL PROPERTY

Definitions

For the purpose of this policy:

- A *sexual offender* is defined in NDCC 12.1-20-25.
- A *parent sexual offender* is an individual who meets this policy's definition of sexual offender and who has either parental or legal guardianship rights to a child attending a district school.

- A *nonparent sexual offender* is an individual who meets this policy's definition sexual offender and who has no parental rights or legal guardianship rights to a child attending a district school.
- *School property* includes all land within the perimeter of the school site and all school buildings, structures, facilities, computer networks and systems, and school vehicles, whether owned or leased by the District, and the site of any school-sponsored activity.

Nonparent Sexual Offenders

A nonparent sexual offender is prohibited from entering a district school except:

- a. When s/he is a qualified voter and is entering school property solely for the purpose of casting his/her vote.
- b. To attend an open meeting as defined in NDCC chapter 44-04.

A nonparent sex offender who attempts to communicate electronically with a student while the student is on school property will be considered on school property without permission and will be in violation of this policy.

Parent Sex Offenders

Parent sexual offenders are prohibited from entering school property except for purposes outlined in section one parts (a) and (b) of this policy and with the superintendent's prior written approval in the following instances:

- a. To transport his/her child to and/or from school. The parent sex offender will only be permitted to transport his/her own child.
- b. To attend a conference to discuss his/her student's progress, placement, or individual education program (IEP).
- c. Under other circumstances on a case-by-case basis, as determined by the Superintendent.

A parent sex offender who attempts to communicate electronically with a student other than his/her child while the student is on school property will be considered on school property without permission and will be in violation of this policy.

Student Sex Offenders

The Superintendent shall determine the appropriate educational placement for student sex offenders except those identified as having a disability. When determining educational placement, the Superintendent shall consider such factors as the safety and health of the student population. The Superintendent shall develop guidelines for managing each student sexual offender in district schools. If the Superintendent determines that, in the best interest of district schools, the student sexual offender should be placed in an alternative educational setting, the District shall pay for the costs associated with this placement.

An IEP team shall determine the educational placement of a student sexual offender with a disability. The student with a disability is entitled to all the due process procedures available to a student with a disability under the Individuals with Disabilities Education Act (IDEA). The IEP team shall develop procedures for managing each student sexual offender with a disability that attends a district school. If the IEP team determines that the student sexual offender should be placed in an alternative educational setting, the District shall pay for the costs associated with this placement.

Juvenile offender registry information is not protected by FERPA. If the District receives a public request to release juvenile offender registry information, the District shall consult with law enforcement prior to disclosure to determine if any of the requested information is confidential and prohibited from being released.

General Provisions

The Superintendent will inform the appropriate principal and other relevant district staff of the scope of the permission granted to each sexual offender.

Sexual offenders who receive permission to enter school property must immediately report to the individual or location designated in the superintendent's written permission statement. The building principal shall assign a chaperone to accompany the sexual offender while s/he is on district property. The only exceptions to these requirements are when the Superintendent grants permission to a parent sex offender to transport his/her child and when a student sex offender receives permission to attend a district school in which case the guidelines developed for this individual shall apply.

The Superintendent may establish a system for identifying sexual offenders and may inform known sexual offenders of this policy. It is not the intent of the District to expand or modify the district's potential liability exposure through the implementation of this notification system. The district's voluntary creation of this safety precaution shall not be construed to create or assume any potential liability under any local, state, or federal law or regulation. Lack of notification does not excuse sexual offenders from abiding by the requirements and prohibitions in this policy.

The Superintendent will contact law enforcement anytime a sexual offender violates this policy and will immediately revoke any privileges granted to the sexual offender under this policy.

SCHOOL CLOSING – Emergency and Weather Related

The decision to close school will be made by Superintendent of Schools or designee. Notification of closing or if school and buses will be dismissed early or start late, will be made to the following radio stations: KEYZ, KYYZ and KDSR and the following television stations: KUMV and KXMD and Channel 19.

Swift Reach K12 is Williston Public School District’s rapid notification service. Swift Reach K12 provides all parents the opportunity to receive school news quickly and effectively via voice calls, email messages or SMS messages. Swift Reach K12 messages will be sent to notify parents of school closings and parent meetings.

SCHOOL NUTRITION

All students are expected to eat lunch at school, whether participating in the food service program or bringing lunch from home. Students should not leave the school grounds during the lunch hour unless the office has been notified by the parents and the child is picked up by a designated adult.

Students are discouraged from bringing pop and candy in cold lunches and parents are discouraged from bringing fast food to school for students to eat.

A no food trading/sharing rule will be enforced.

Breakfast and lunch prices are as follows:

Student Breakfast

Reduce Price: \$.30
Full Pay Price: \$1.50
Extra Milk: \$.30

Student Lunch

Reduce Price: \$.40
Full Price: \$2.50
Extra Milk: \$.30

Milk Break

\$.30

Adult Breakfast

Full Pay Price: \$2.25
Extra Milk: \$.30

Adult Lunch

Full Pay Price: \$3.75

Those students who bring their own sack lunch to school may purchase a carton of milk for \$.30.

Free and reduced price meal applications are available at every school and will be accepted any time during the school year. Information pertaining to these forms is strictly confidential. If you have questions, or have trouble paying your lunch balance, please contact Lynelle McKenzie, Food Service Director at 701-572-5618 ext. 1220.

An automated notice will be sent to parents when their student’s account balance is \$10.00 (full pay students) or \$2.00 (reduced priced lunch). The notice will be sent on Sundays and Wednesdays. Parents may choose which type of notice (voice, email, text).

Student lunch balances can be viewed in the parent’s account in PowerSchool or may also be viewed in myschoolbucks.com by setting up an account. Parents may deposit money in student accounts anytime online through www.myschoolbucks.com. Instructions are available on www.willistonschools.org

Any K-4 student with any negative amount will not be allowed to charge extra milk, juice, bottled water, or milk break. A parent may call the Food Service Director to place a block on their child’s account to prohibit the purchase of a la carte items. The District will vigorously pursue the collection of outstanding bills and will refer past due accounts to collections.

In the event a student leaves the district and has funds remaining in their school lunch account, it is the responsibility of the parent/student to contact food services director within 30 days to request a refund; otherwise, the remaining funds will be deposited into the nonprofit school food service account.

SCHOOL PROPERTY and TEXTBOOKS

Students are not to deface school property. A conscientious effort is made to encourage good citizenship and develop pride in the building and campus. Students will be charged for damage to the building, equipment, and property when it is determined that such damage was caused by carelessness, neglect, or malice.

Students are issued textbooks and agendas for their use and will be required to pay for lost or damaged textbooks, agendas, and library books.

SPORTSMANSHIP

A primary goal of the sports program is to teach sportsmanship. Student athletes, student spectators, district personnel, and public spectators are expected to support this goal.

Rules of Conduct

The Athletic Director shall develop rules of conduct for athletic events. These rules shall be published in student and employee handbooks and disseminated to district patrons using the method deemed most appropriate, effective, and cost efficient by the Superintendent.

The Superintendent, principal(s), and law enforcement may evict violators of these rules from the athletic event, and the Superintendent may prohibit and/or restrict attendance at future events. In addition, district students and employees violating these rules may be subject to disciplinary consequences in accordance with district policy and law.

STAFF PROFESSIONAL QUALIFICATIONS

Through federal education law, parents have the right to request information on the professional qualifications of the teachers and paraprofessionals at our school. If you are interested in learning this information, please contact your building principal. Upon this request, you will receive a detailed explanation of the licensing, education, and experience of each of our teachers. You will also receive information regarding the names and qualifications of the paraprofessionals at the school.

STAFF-STUDENT RELATIONS (NON-FRATERNIZATION POLICY)

The Board requires employees, volunteers, and students to treat one another with respect and professionalism. All employees and volunteers are expected to exercise good judgment and maintain professional boundaries when interacting with students at all times, on and off school property.

Prohibited Behavior

Any behavior of a harassing or sexual nature towards students is strictly prohibited. Such behavior includes, but is not limited to, the following:

1. Insults, disparaging remarks/names, and/or sarcasm, used to force compliance with an employee's or volunteer's requirements or expectations.
2. Any conduct that would amount to sexual harassment, discrimination, or retaliation under Title IX of federal education amendments.
3. Any activity that may lead to a sexual relationship such as dating, sending intimate correspondence, and/or engaging in sexualized dialogue.
4. Any sexual relationship between an employee or volunteer and a current student, regardless of his/her age, or a former student under the age of 18.
5. Any conduct by an employee or volunteer that would constitute a sexual offense as defined in state law.

Individuals aware of any of these prohibited behaviors are expected to report such action to a building administrator or the Superintendent.

All reported prohibited behavior shall be investigated. If disciplinary action is deemed warranted at the completion of the investigation, the District shall take appropriate action up to and including termination of employment in accordance with law and/or reporting such activity to appropriate state licensing and law enforcement officials.

STUDENT ALCOHOL & OTHER DRUG USE/ABUSE

Philosophy

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

Prohibited Activities

It shall be against school policy for any student to:

1. Sell, deliver, or give, or attempt to sell, deliver, or give to any person any of the substances listed in this policy or sell, deliver, or give, or attempt to sell, deliver, or give to any person substances the student represents or believes to be a substance(s) listed in this policy.
2. Possess, procure, purchase, or receive, or to attempt to possess, procure, purchase, or receive the substances listed in this policy or what is represented by or to the student to be any of the substances listed in this policy or what the student believes is any of the substances in this policy. A student will be determined to be "in possession" when the substance is on the student's person or in the student's locker, car, handbag, or when s/he owns it completely or partially.
3. Be under the influence of (legal intoxication not required), use, consume, or attempt to use or consume the substances listed in this policy or what is represented by or to the student to be any of the substances listed in this policy or what the student believes is any of the substances in this policy.
4. Knowingly or intentionally aiding or abetting in any of the above activities.

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

Prohibited Substances

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

The District has a separate policy dealing with tobacco use.

Reporting Violations

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

Violation

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

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

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

Intervention

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

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

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

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

Confidentiality

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

Education

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

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

STUDENT APPEARANCE

The Board encourages students to use sound judgment in dress and grooming. While attention seeking devices in dress and grooming are discouraged, students shall not be prevented from attending school or a school-sponsored activity because of appearance if style, fashion, or taste is the sole criterion for such action.

Prohibitions

The District prohibits the following articles of clothing or decoration at school-sponsored functions and/or on school property. Clothing/decoration that:

1. Is reasonably likely to substantially disrupt the educational environment.
2. Poses a health or safety risk.
3. Is destructive to school property and/or causes excessive maintenance problems.
4. Is intended to identify the student as a member of a gang.
5. Promotes illegal activities and/or the use of tobacco or alcohol.

The administration will make reasonable efforts to notify students of these rules. Each building principal shall develop a procedure for handling and disciplining students in violation of these rules.

While the school administration may require students participating in physical education classes to wear certain apparel which meets reasonable health and safety standards as established by the Board, they may not prescribe a specific brand that students must buy.

Students are expected to dress in proper school attire that is appropriate for the weather conditions, is fastened properly, and does not distract students or staff in the education process. Clothing that is suggestive, revealing, or obscene is prohibited in school or at school functions. It is the parent's responsibility to see to it that their children are physically clean and are wearing clean clothing that conforms to the above guidelines. Parents are asked to use good judgment in the choice of clothing worn by students at school. If your child is not dressed appropriately or is wearing soiled clothing, he/she may be sent home to change to suitable attire or parents will be requested to bring appropriate clothing to school.

- Students may not wear any article of clothing, pins, buttons, or anything that advertises, displays, or in any way represents alcohol or drugs during the school day or at any school related activity.
- Clothing, insignias, and jewelry that are specifically intended to identify one as a member of a “gang” is prohibited.
- No caps or hats of any kind are to be worn in the school building unless it is a special occasion.
- Articles of clothing that are destructive to school property and/or cause excessive maintenance problems such as cleats on boots, shoes that scratch floors, trousers with metal inserts that scratch furniture, etc. are not allowed.
- Parents should mark all outer garments such as coats, caps, mittens, overshoes, etc., in case these items become lost.
- Hair should be clean and well groomed.

Personal grooming and dress are primarily matters of concern between the students and their parents. It becomes a concern of the school, however, when grooming and dress patterns create a disruptive influence upon the educational program of the school or when the health or safety of the student body is affected.

STUDENT CONDUCT & DISCIPLINE

Conduct Standards

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

Disciplinary Standards

Consequences for misconduct will be fair and developmentally appropriate in light of the circumstances.

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

1. Be identical in content for all district elementary schools;

Disciplinary Standards for Special Education Students

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

Prohibited Disciplinary Actions

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

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

Disciplinary Authority

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

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

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

STUDENT CONDUCT STANDARDS

Students in our schools are expected to act in such a fashion that their behavior will reflect favorably on the individual student and 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. Students have the responsibility to know and respect the rules and regulations of the school, including the school's prohibition against discriminatory and harassing conduct.

Teachers will develop and define rules and behavior expectations with the students so that they clearly understand what appropriate and inappropriate behaviors are. Rules of behavior within a classroom or school will be reasonable. For any student conduct that may constitute a violation of the District's Nondiscrimination and Anti-Harassment policy, the teacher shall inform the appropriate District coordinator (Title IX, 504, or Nondiscrimination) as identified in school policy AAC.

- Techniques that may be used by the classroom teachers and staff may include the following:
 - Positive reinforcement when something is done well
 - In classroom time out
 - A meeting with the guidance counselor and/or principal
- In those situations where children behave in a manner that is disruptive to the classroom and the teaching-learning process, the teacher may:
 - Remove the child from the classroom
 - Contact the parent to discuss the problem
 - Conduct a conference with the parent, which may or may not involve the principal (The child might be invited to attend.)
- If these procedures are not effective, the teacher or staff must discuss the matter with the principal and the following alternatives may be implemented based on the urgency and severity of the problem:
 - Referral for RTI team meeting
 - Suspension
 - Expulsion
 - A combination of the above

Williston Elementary School – Discipline Levels

	Level 1 – Rule Breaking	Level 2 – Problem Behavior	Level 3 – Abusive Behavior	
<p>Examples of student behavior</p> <p>(These examples are not meant to be all-inclusive. Other behaviors of similar severity would be included at the proper level.)</p>	<p>Breaking classroom rules</p> <p>Breaking playground rules</p> <p>Hallway or lunchroom misbehavior</p> <p>Minor disruptive behavior (talking out loud, throwing things, making noises)</p> <p>Being tardy</p> <p>Not being prepared for class</p> <p>Unsafe conduct</p> <p>Teasing, name-calling, put-downs, bullying</p> <p>Disrespect of property</p> <p>Littering</p> <p>Dishonesty, cheating</p> <p>Inappropriate dress</p>	<p>3rd incident of level 1</p> <p>Truancy</p> <p>Minor vandalism</p> <p>Minor theft</p> <p>Inappropriate language or gestures</p> <p>Verbal assault</p> <p>Intimidation or coercion of other</p> <p>Forgery or intent to deceive</p> <p>Failure to cooperate with any adult</p> <p>Possession, production, or or distribution of inappropriate materials</p> <p>Reckless endangerment</p> <p>Inappropriate affection</p>	<p>3rd incident of level 2</p> <p>Fighting/scuffling where no harm is inflicted</p> <p>Disruption of a classroom</p> <p>Insubordination</p> <p>Physical or verbal threats against students</p>	<p>Rep</p> <p>Cor</p> <p>We</p> <p>Pos</p> <p>Ma</p> <p>Phy</p> <p>Ass</p> <p>Cor</p> <p>Dir</p> <p>Ma</p> <p>Phy</p> <p>Sex</p> <p>dis</p>
<p>Discipline decisions by: with assistance from:</p>	<p>Teacher</p> <p>Teacher Aide</p> <p>Student Supervisor</p> <p>Student</p>	<p>Principal and/or Teacher</p> <p>Counselor</p> <p>Student</p> <p>Parent</p>	<p>Principal</p> <p>Counselor</p> <p>Teacher</p> <p>Student</p> <p>Parent</p>	<p>Pri</p>
<p>Sequential consequences to be followed:</p>	<p>Time out</p> <p>Missed noon recess</p> <p>Classroom detention</p>	<p>In-class loss of privileges</p> <p>After-school detention</p>	<p>After-school detention</p> <p>Behavior contract</p> <p>In-school suspension</p>	<p>(</p> <p>1</p>
<p>Parent notification</p>	<p>1st – none (warning)</p> <p>2nd – phone call by teacher</p> <p>3rd – written and phone call by teacher</p>	<p>1st – written and phone call by counselor or teacher</p> <p>2nd – written and phone call by counselor/teacher to set up a conference including: principal, counselor, teacher, student, and parent</p>	<p>1st – Principal – student-counselor conference (written and phone call)</p> <p>2nd – Phone call by principal to set up a conference including: principal, counselor, teacher student and parent</p>	<p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>P</p>

STUDENT DISTRIBUTION AND POSTING OF NON-CURRICULAR MATERIAL IN SCHOOL

Students shall be permitted to distribute non-curricula material that meets the following criteria and receives district approval as described below:

1. The material submitted to the Superintendent at least 5 school days before the proposed distribution date. The request must indicate the time and place where the student wishes to distribute material and the ages of students that are the requestor's target audience.
2. The Superintendent shall approve or disapprove the material. If the Superintendent rejects a request to distribute material, the decisions may be appealed to the Board. The decision to approve material shall not be based on the viewpoint expressed; however, material containing the following shall not be approved for dissemination:
 - a. Attacks on ethnicity, race, religion, or other class protected by law;
 - b. Promotes violence, terrorism, or other illegal activities, including, but not limited to, tobacco, drug and/or alcohol use by minors;
 - c. Is obscene or pornographic as defined by community standards;
 - d. Is reasonably forecasted to materially or substantially disrupt the education process or environment;
 - e. Poses a direct threat to the physical safety of the school populations;
 - f. Infringes on the rights of others, such as (but not limited to) material that is libelous or invades an individual's privacy.

The Superintendent shall document reasons for denying a student's request to distribute non-curricular material.

The Superintendent shall provide notice of his/her decision to approve or deny a non-curricular material distribution request to the requestor within a reasonable timeframe.

STUDENT EDUCATION RECORDS ACCESS & AMENDMENT PROCEDURE

Reviewing an Educational Record

The District will comply with a parent/guardian/eligible student's right to inspect educational records. This right will be granted using the following procedure:

1. A request to view an educational record shall be granted by the deadline in law (45 days).
2. A request may be made orally or in writing to the building principal.
3. The principal shall notify the parent/guardian/eligible student of the time and place when a record may be inspected.
4. The principal shall require the requestor to submit/show a form of state or federally-issued identification to verify the identity of the requestor if the requestor is unknown to the principal.
5. The principal or designee shall be present when the parent/guardian/eligible student reviews the record.
6. If circumstances prevent a parent/guardian/eligible student from reviewing the educational record at the school office, the District shall prepare and mail a copy of the record or make alternative arrangements for the parent/guardian/eligible student to review the record. Any expense incurred from copying and/or mailing a record may be charged to the parent/guardian/eligible student at state rates, except as prohibited by law.

Amending an Educational Record

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

1. Any request to amend an educational record shall be made in writing and submitted to the building principal.
2. The principal shall review the request within a reasonable time and approve or deny it. The principal's decision shall be submitted to the parent/guardian/eligible student. If the principal denies the amendment request, s/he shall inform the parent/guardian/eligible student of his/her right to request an appeals hearing.

3. Requests for an appeals hearing shall be submitted to the Superintendent. The hearing shall be held within a reasonable time after the appeal request has been made.
4. The Superintendent shall serve as the hearing officer. A representative of the parent/guardian/eligible student's choosing may accompany the parent/guardian/eligible student at the parent/guardian/eligible student's expense. The parent/guardian/eligible student shall have a full and fair opportunity to present evidence related to the amendment request.
5. The superintendent's decision is final and binding and shall be submitted to the parent/guardian/eligible student at a reasonable time after the hearing.
6. If the Superintendent denies the amendment request, s/he will notify the parent/guardian/eligible student within a reasonable time of his/her right to submit a written response commenting on the contested material and/or explaining the disagreement with the hearing officer's decision. This written response shall be retained and, when applicable, disseminated in accordance with law.

STUDENT EDUCATION RECORDS AND PRIVACY

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

Definitions

- *Directory information* is defined as personally identifiable information contained in a student education record that is generally considered **not** harmful or an invasion of privacy if disclosed and includes:
 - a. Address
 - b. Date and place of birth
 - c. Dates of attendance
 - d. Degrees, honors, and awards received
 - e. Grade level
 - f. Most recent school attended
 - g. Name (first and last)
 - h. Participation in officially recognized activities and sports
 - i. Photograph
 - j. School email address
 - k. Student identification number if it cannot be used alone to access an educational record and is not the student's social security number
 - l. Telephone listing
 - m. Weight and height of members of athletic teams⁵
- *Education record* is defined as any record that directly relates to a student and is maintained by the District or by a party acting for the District. This definition excludes law enforcement records and records in the sole possession of the maker used only as a memory aid.⁶
- *Eligible student* means a student who has reached the age of 18.⁷
- *FERPA* stands for the Family Educational Rights and Privacy Act.
- *Legitimate educational interest* is defined as access that is needed in order for a school official to fulfill his/her professional responsibility.⁸
- *Parent* means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or a guardian.
- *Permanent record* is defined as a record containing a student's name, address, phone number, record of grades, years enrolled, courses attended, and grades completed.

⁵ 34 CFR 99.3

⁶ 34 CFR 99.3

⁷ 34 CFR 99.3

⁸ https://nces.ed.gov/pubs2004/privacy/section_4b.asp

- *Personally Identifiable Information* (PII) includes information maintained in the student’s education record that could be used alone or in combination to trace a student’s identity directly or indirectly and would allow a reasonable person, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.
- *Record* means any information recorded in any way including, but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm, and microfiche.⁹
- *School official* is defined as an individual who has a legitimate educational interest in accessing student educational records and is affiliated with the District in one of the following capacities:
 - a. An individual employed by the District in an administrative, instructional, or support staff position;
 - b. School board members;
 - c. Contractors, consultants, volunteers, service providers, or other party with whom the school or District has outsourced institutional services or functions for which the school or District would otherwise use employees; records provided to these third parties must remain directly under the district’s control for purposes of maintenance and use and the third party must agree to comply with 34 C.F.R. 99.33(a). Examples include, but are not limited to, school resource officers, interns, student teachers, the district’s attorney, PowerSchool, SLDS, learning management software, hot lunch tracking software, and district alert systems.¹⁰

Designation and Responsibilities of Privacy Officers

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

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

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

Information Release Safeguards

1. Access by Parents and Eligible Students

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

- a. The District shall comply with a request by a parent or eligible student to access education records within a reasonable period of time, not to exceed 45 days after receipt of a request.
- b. The Board shall develop procedures for a parent/guardian/student to review and amend educational records. These procedures shall include procedures to verify the identity of a requesting parent/eligible student. The regulations shall be delineated in board approved regulations and disseminated annually in accordance with law.¹¹

⁹ 34 CFR 99.3

¹⁰ 34 CFR 99.31(a)(1) and 06/28/06 FERPA Opinion

(<http://www2.ed.gov/policy/gen/guid/fpco/ferpa/library/clarkcty062806.html>)

¹¹ 34 CFR 99.7 and 99.10

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

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

3. Data Breaches

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

4. Information Storage and Destruction

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

5. Directory Information

The District may disclose directory information without parental/eligible student consent if it has given parents/eligible students a reasonable amount of time to opt-out of directory information release. Opt-out notices should be provided at the beginning of the school year and when a student otherwise enrolls in the District. These notices shall contain a reasonable deadline of at least 10 days for parents/eligible students to opt out.¹²

The Board approves release of directory information as follows:

- a. Publication on the district's website
- b. Social Services
- c. To board-approved vendors for purposes of sale of school-related items such as, but not limited to, yearbooks, school pictures, graduation items, district apparel, and book orders
- d. To military and college recruiters in accordance with applicable laws (NDCC 15.1-07-25.1 and 20 U.S.C. 7908)
- e. To official district newspaper for purposes of recognizing student accomplishments and coverage of extracurricular events
- f. To school-affiliated groups for purposes of communicating and fundraising
- g. To school-sponsored student publications including, but not limited to, newspapers and yearbooks
- h. When the Board receives and approves a directory information release request; directory information shall only be released and used for purposes specified in the release request and the Superintendent shall add approved requestors to the district's master list of individuals and entities having access to student information. The Board shall develop criteria in regulations for approving and denying these requests.¹³

Any district employee who wishes to disseminate student directory information to a third party shall contact his/her privacy officer. The privacy officer shall determine if the Board has previously approved such release and, if not, deny the request or submit it to the Superintendent for board approval. Upon board approval, the Superintendent shall instruct the privacy officer to ensure compliance with any opt-out requests made by parents.

6. Personally Identifiable Information (PII)

¹² 34 CFR 99.37

¹³ 34 CFR 99.37(d)

Any third party requesting or receiving access to student PII must receive board approval unless the third party is required to receive PII under state or federal law.¹⁴ Any school employee who wishes to share PII with a third party shall contact his/her privacy officer. The privacy officer shall determine if the Board has previously approved such release and, if not, deny the request or submit it to the Superintendent for board approval. Upon board approval of any PII release request, the applicable privacy officer shall inform the requestor of any parental consent requirements (see #7) and ensure the requestor complies with such requirements.

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

- a. The District receives information under 42 U.S.C. 14071 and applicable federal guidelines about a student who is a registered sex offender under section 170101 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14071), and the District has a need to disclose the student's status as a sex offender for safety purposes.¹⁵
- b. In connection with a health or safety emergency under the conditions described in 34 C.F.R. 99.36.¹⁶
- c. If records have been de-identified by the District; third-party individuals and entities that receive de-identified information shall be included on the district's master list of individuals and entities having access to student information.¹⁷
- d. To a school official who has a legitimate educational interest in the education records if the following conditions are satisfied:
 - i. Access shall be limited to only information the school official has a legitimate need to know;
 - ii. School officials shall use the information only for the purposes for which the disclosure was made and shall not redisclose the information to any other party without proper consent or legal authority;
 - iii. Titles of individuals and entities considered school officials shall be included on the district's master list of individuals and entities having access to student information.¹⁸
- e. To a court without a court order or subpoena when the District initiates legal action against a parent/student or a parent/student initiates legal action against the District.¹⁹
- f. To accrediting bodies for purposes of accreditation.²⁰
- g. To an organization conducting a study for the District to develop, validate, or administer a predictive test; administer student aid programs; or improve instruction so long as the organization has entered into a written agreement with the Board in accordance with law; if the organization is conducting a survey of students, the District shall ensure parents are notified in compliance with policy GCC and shall obtain parental consent, if applicable (see #7).²¹
- h. To another school in which the student seeks, intends to, or is already enrolled.²²
- i. To authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the U.S. Secretary of Education, and state and local educational authorities for audit or evaluation of federal or state supported education programs or for the enforcement of or compliance with federal legal requirements that relate to those programs.²³
- j. To comply with a judicial order or lawfully issued subpoena; the District must make reasonable attempt to contact the parent/eligible student before disclosure unless the court order instructs otherwise.²⁴
- k. To the parents of an eligible student who is also a "dependent student" as defined in IRS Section 152.²⁵

The District will take measures necessary to ensure that individuals and entities to which PII is released shall only have access to information necessary to fulfill their responsibilities under law and to the District. Measures may include, but not be limited to, controlling access to computer data through password restrictions, controlled

¹⁴ SB 2326

¹⁵ 34 CFR 99.31(a)(16)

¹⁶ 34 CFR 99.36

¹⁷ 34 CFR 99.31(b)(1) and SB 2326

¹⁸ 34 CFR 99.31(a)(1)

¹⁹ 34 CFR 99.31(a)(9)(iii)(A)

²⁰ 34 CFR 99.31(a)(7)

²¹ 34 CFR 99.31(a)(6)

²² 34 CFR 99.31(a)(2)

²³ 34 CFR 99.31(a)(3)

²⁴ 34 CFR 99.31(a)(9)

²⁵ 34 CFR 99.31(a)(8)

access to paper records, and ensuring that any information access agreements required by law are properly executed by the Board.²⁶

7. When Parental Consent is Required

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

- a. The Board has approved release of PII to an individual or entity not meeting the definition of school official under law and/or not meeting an exception to the parental consent requirement under FERPA.
- b. The Board has approved release of directory information, other than or in addition to name, or PII to an online service provider for commercial purposes and the impacted students are under 13.²⁷
- c. When administering a survey funded in whole or in part by the U.S. Department of Education and concerning any of the following areas:
 - i. Political affiliations or beliefs of the student or the student's parent;
 - ii. Mental or psychological problems of the student or the student's family;
 - iii. Sex behavior or attitudes;
 - iv. Illegal, anti-social, self-incriminating, or demeaning behavior;
 - v. Critical appraisals of other individuals with whom respondents have close family relationships;
 - vi. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
 - vii. Religious practices, affiliations, or beliefs of the student or student's parent;
 - viii. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).²⁸

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

504 Plans and Individual Educational Programs (IEPs)

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

Policy Violations

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

Training

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

STUDENT INTERVIEWS, INTERROGATIONS, AND CUSTODY BY SCHOOL RESOURCE OFFICERS AND OUTSIDE AUTHORITIES

General Provisions

For all action permitted by this policy and/or law, it is the responsibility of law enforcement officials, not district employees, to assure compliance with procedural and constitutional safeguards.

²⁶ 34 CFR 99.31(a)(3)(ii)

²⁷ Children's Online Privacy Protection Act, 16 CFR 312

²⁸ Protection of Pupil Rights Amendment, 20 U.S.C. § 1232h; 34 CFR Part 98

School Resource Officers (SROs)

When acting in the role of a school official to investigate school policy violations and/or maintain the safety of the school environment, SROs may interview students without parental consent and may search students in accordance with applicable school district policy on searches by school officials. When a student is suspected of a crime, the SRO shall comply with the procedure below pertaining to police interrogations.

Communications with School Resource Officer (SRO)

In all cases where any law enforcement officer, other than assigned SROs, needs to interview or take into custody a student, the law enforcement officer should make every attempt to contact the school's primary SRO and inform them of the need to contact a student unless there is an emergency. If the primary SRO cannot be contacted then the law enforcement officer should continue their attempt in contacting any other district SRO. If available, the SRO will assist and coordinate the interview/taking into custody of the student with school officials.

Police Interviews and Interrogations

To minimize disruptions to the school environment and embarrassment to students involved, all police interviews and interrogations of students on school property shall be held in private unless the urgent nature of the situation prevents compliance with this requirement as determined by the building principal or designee in consultation with law enforcement. Students shall not be subject to coercion or illegal restraint during police interviews and interrogations.

1. When the student is the suspect of a crime (police interrogation)

The Superintendent or building principal shall only grant the interrogation request if the following conditions are met:

- a. The officer properly identifies him/herself to the building principal or designee if the officer is unknown to the school, confirms the identity of the student to be interrogated, and confirms the reason and purpose of the interrogation.
- b. The interrogation relates to a school matter or needs to be held at school because of justifiable law enforcement need that is explained to the building principal or designee.
- c. The student's parent, guardian, or attorney is present for the interrogation. This requirement does not apply to students of legal age.
- d. The student is read *Miranda* rights.

These requirements do not apply to crimes in progress, which are covered under this policy's section on taking students into custody.

2. When a student is a witness or victim of a crime

The Superintendent, building principal, or designee may grant requests for a police interview of a student who is a witness or victim of a crime if the following conditions are met:

- a. The officer properly identifies him/herself to the building principal or designee if the officer is unknown to the school, confirms the identity of the student to be interviewed, and confirms the reason and purpose of the interview.
- b. The interview relates to a school matter or needs to be held at school because of justifiable law enforcement need that is explained to the building principal or designee.
- c. At a minimum, a school official is available to be present at the police interview. The building principal or designee should attempt to contact the student's parent or guardian and allow them to attend the interview unless the urgent nature of the situation demands that the interview be conducted as soon as possible. The building principal or designee, in consultation with law enforcement, shall make the determination of whether or not to contact parents/guardians on a case-by-case basis.
- d. If, during the interview, the student becomes a suspect of a crime, the requirements in #1 shall be implemented as soon as this suspicion arises.

Interviews of Students by Officials of Other Agencies

When the Department of Human Services or an officer acting on the agency's behalf requests to interview a student as part of a child/abuse neglect investigation, the building principal shall:

1. Verify that the purpose of the interview is to investigate child abuse/neglect;

2. Require that the interviewer identify him/herself;
3. Allow a student to be interviewed if the student is the subject of, sibling of, or living with a child the subject of abuse/neglect;
4. School staff shall not share information related to a child abuse investigation with the public or the child's parents.

Students taken into Custody at School

In all of the situations listed below, efforts should be made to minimize embarrassment or loss of class time for the student. The office of the Superintendent and principal should be notified immediately when any of the actions listed below has occurred if not previously aware that these actions were to occur.

1. Student Taken into Custody

Police officers, counselors of the juvenile court, or other authorized law enforcement officials have the right to enter the school to take a student into custody or to make a lawful arrest of a student, provided the officer displays an order signed by a judge of the juvenile court authorizing the taking of the student into custody, displays a warrant for the student's arrest, or has probable cause to make an arrest. If the student is arrested and/or taken into custody at a school, the school officials should make every effort to notify the parents immediately

2. Right to Serve Subpoena in School

While police officers have the legal right to serve a subpoena at school, the serving officials should be strongly urged to serve these subpoenas off campus whenever possible.

STUDENT PRAYER DURING NON-INSTRUCTIONAL TIME

The District shall comply with state law concerning student recitation of prayer/student-initiated religious speech in school, which allows such activity before, during, and after the school day to the same extent that District allows secular speech. Any time, place, and manner restrictions that the District places on recitation of prayer/student religious speech shall not exceed those placed on student's secular speech.

The decision to participate or not participate in religious expression is a matter of individual choice. No student will be permitted to harass or intimidate other students to participate or refrain from participating in religious expression. School staff shall refrain from encouraging or discouraging students from participating in such activity.

STUDENT RECORDS

Student records shall be made available to an outside person or agency only under the following conditions:

- A "Release of Information" request is received by school officials signed by a parent or guardian of the student or by a student of legal age (18 or older).
- A "Request for Information" is received by school officials in the form of a specific request from the court, a court order, or a subpoena. Only information requested shall be provided and the parents/guardians and/or student shall be notified of all such orders in advance of compliance with the order.
- A student of legal age (18 or older) or the parent or guardian of a minor student shall have access to a student's records at any time during the school day upon reasonable notice to the principal. Without a court order to the contrary, divorced parents of a student shall have equal access to their child/children's educational records.
- The file shall contain a composite of all requests for information and all completed forms involving requests, authorizations, or permission to view and receive educational records. Each person viewing the file must sign and date the form provided for that purpose.
- A single copy of information contained within the record shall be provided at no cost, if requested by parent or guardian or by a student of legal age (18 or older).

STUDENT USE OF ELECTRONIC DEVICES

The Williston School District allows the carrying and use of personal communication devices, including but not limited to cellular phones, pagers and beepers, by students during the instructional day as defined by each building principal.

Possession and/or use of any image-recording device in an area where there is a reasonable expectation of privacy is strictly prohibited and will result in confiscation of the device.

Students in violation of any portion of this policy will be subject to disciplinary procedures and confiscation of the electronic device. If a student's cell phone or other electronic device is confiscated, the building principal or Superintendent may search the confiscated device in accordance with the district's searches of students policy. If school official suspects that a student possesses or is disseminating an image that potentially violates NDCC 12.1-27.1-03.3 or finds such an image during a search of an electronic device performed in accordance with policy, s/he may report this matter to law enforcement for investigation. Disciplinary action up to and including suspension and/or expulsion may also be taken against any student using an electronic device in a manner that violates another district policy and/or causes substantial disruption to the educational environment.

The Superintendent and/or his designee is authorized to make exceptions to the prohibitions set forth in this policy for health, safety, or emergency reasons, for students in attendance as active members of a volunteer firefighting organization or volunteer emergency medical service organization, and when use of electronic devices is provided for in a student's Individualized Education Program (IEP).

SUSPENSION AND EXPULSION

Definitions

This policy defines the following:

- *School property* means all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by the school district, and the site of any school-sponsored event or activity
- *Suspension* includes in-school suspension from classes and out-of-school exclusion from classes, school property, and activities.
- *Dangerous weapon* as defined by NDCC 62.1-01-01
- *Firearm* as defined by NDCC 62.1-01-01

Suspension/Expulsion Authority

The Board hereby delegates to the Superintendent and each principal the authority to deal with disciplinary problems in their school, including suspension and recommendation for expulsion of a student. Suspension shall not be imposed beyond the maximum duration permitted by law.

The Board designates the Superintendent to serve as the hearing officer for expulsion hearings unless not qualified to serve as defined in board regulations. In such cases, the Board shall appoint an alternative hearing officer.

The hearing officer may expel a student for conduct that violates this policy after providing notice and a hearing as set forth in board regulations. When the hearing officer is someone other than the Williston School Board, the student may seek a review of the hearing officer's expulsion decision by the Board based on the record of the hearing.

Expulsion shall not be imposed beyond the maximum duration permitted by law.

Conduct Subject to Suspension/Expulsion

Conduct, including but not limited to the following, exhibited while on school property, during a school-sponsored activity, during a school-related activity, or off-campus when student conduct has or is reasonably predicted to have a substantially disruptive effect on district operations and/or educational environment is subject to suspension or expulsion:

1. Causing or attempting to cause damage to school property or stealing or attempting to steal school property of value;
2. Causing or attempting to cause damage to private property or stealing or attempting to steal private property;
3. Causing or attempting to cause physical injury to another individual except in self-defense;
4. Possessing or transmitting on school property a firearms, dangerous weapon, or any object that is used, attempted to be used, or threatened to be used to intimidate or cause bodily harm;
5. Possessing, using, transmitting, or being under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, or intoxicant of any kind;
6. Disobedience or defiance of proper authority;
7. Behavior that is detrimental to the welfare, safety, or morals of other students;
8. Truancy;
9. Offensive and vulgar language, whether or not it is obscene, defamatory, or inciteful to violence, and disruptive of the educational process;
10. Threats of violence, bomb threats, or threats of injury to individuals or property;
11. Student behavior that is detrimental or disruptive to the educational process, as determined by the principal;
12. Discriminatory or harassing conduct.

Information regarding the conduct subject to suspension or expulsion must be posted in a prominent place in each school and must be published in student handbooks.

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

SWIFTREACH K-12

SwiftReach K-12 is Williston Public School District's rapid notification service. SwiftReach K-12 provides all parents the opportunity to receive school news quickly and effectively via voice calls, email messages or SMS messages. SwiftReach K-12 messages will be sent to notify parents of school closings and parent meetings.

TEACHING ABOUT RELIGION

Factual and objective teaching about religion, the impact of religion, and religious-based ideas and ideals may be included in classroom instruction if such information is presented as part of the curriculum and is in keeping with the district's educational goals and student learning objectives.

Religious musical selections, literature, documents of historical significance, artwork, and other learning aids may be included in the curriculum on the basis of their particular educational value and/or traditional secular usage and shall be presented with works that are nonreligious in nature, shall be selected and performed as works of art, not as acts of veneration, and shall be presented prudently and objectively, with background information explaining their purpose.

Any staff member, citizen, or student who believes that a particular school program may have violated this policy may submit a complaint in accordance with the procedures established by board policy for complaints about instructional material.

TOBACCO-FREE SCHOOLS & WORKPLACES VIOLATIONS BY THE PUBLIC

Members of the public who violate the district's anti-tobacco policy and/or regulations shall be informed that their actions are in violation of district policy. Repeat violations may result in the building principal or designee requiring such individuals to leave school property. Repeat violations may also result in the building principal recommending to the Superintendent that the individual be prohibited from entering district property. If enacted, such prohibitions shall not violate law and may be limited to a specific period of time as determined by the Superintendent. The Superintendent may grant exceptions to such prohibitions for reasons such as, but not limited to, granting a parent violator the ability to pick up and drop off his/her child from school.

TRANSFERS

Parents must request a student transfer from the building principal. The Student Transfer form must be completed by the parents and signed by the current principal who will forward the request to the district office. Transfers will be approved based on enrollment availability. Transfers between schools during the school year are discouraged.

The child's transfer will be renewed automatically as he/she moves up to the next grade *in the same school*, unless parents make a written request to have the transfer cancelled.

USE OF ANIMALS IN DISTRICT SCHOOLS & IN CURRICULAR PROGRAMS

The Williston School Board believes there are medical and physical dangers associated with allowing interaction with and/or use of animals in the educational program and in district schools. The Board, however, also recognizes that animals may be an effective teaching aid and/or their presence may be required to reasonably accommodate students and staff with disabilities.

Definitions

For purposes of this policy:

- *Disability* is defined in 28 CFR Part 35.108 with respect to an individual, as a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such an impairment; or being regarded as having such an impairment.
- *Service animal* is defined in NDCC 25-13-01.1 as any guide dog, signal dog, or other animal trained to do work, perform tasks, or provide assistance for the benefit of an individual with a disability. The term includes an animal trained to provide assistance or protection services to an individual with a disability, pull a wheelchair, lend balance support, retrieve dropped objects, or provide assistance in a medical crisis.
- *School property* means all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by a school district, and the site of any school-sponsored event or activity.

Use of Animals for Educational Purposes

Before a teacher may use an animal as part of the educational program or participate in an activity involving animals (e.g., a field trip) the teacher must submit a request to the building principal in accordance with administrative regulations. The principal shall consider such requests on a case-by-case basis based upon criteria established by the Superintendent.

Use of Service Animals by the Disabled

A qualified individual with a disability may be granted use of a service animal on school property, provided the work or tasks performed by the service animal are directly related to the individual's disability. The Superintendent shall make such determinations on a case-by-case basis based on the following criteria. Would the presence of the service animal:

1. Impose an undue financial or administrative burden on the District;

2. Require a fundamental alteration to the educational program;
3. Impact legally protectable rights of others. A disabled student's parent may be given the option of changing the student's educational placement if alternative placement will remedy the infringement of other's rights.

The individual with a disability or designated handler is responsible for the proper care and supervision of the service animal while on school property.

Revocation of Animal Use

The decision to allow any type of animal in school may be revoked if:

1. The animal poses a direct health and/or safety threat to others;
2. The animal is not properly controlled;
3. The animal's presence has fundamentally altered an educational program or activity.

The District may offer alternatives to using a service animal (such as employing an aide), provided the alternatives meet the student's needs.

Animal Related Injuries

The principal and parent/guardian (if a student is involved) must be notified as soon as possible if an animal bites an individual on school property or during a school-sponsored activity or if an animal-related incident occurs on school property or during a school-sponsored activity that could have an adverse effect on an individual's physical or emotional health. An accident report must be filed with the principal in accordance with district policy and regulations (ACAC).

VANDALISM

Definition

For the purposes of this policy

- *Vandalism* includes, but is not limited to, wantonly defacing or damaging school property, including items entrusted to students such as, but not limited to, textbooks and lockers.

Remedies & Repercussions

The Board may offer a reward as authorized by North Dakota law to any person furnishing information leading to the apprehension and conviction of any person(s) who vandalized property belonging to the District. The Board may also accept private donations to establish a reward fund to encourage the furnishing of such information.

It is the policy of the Board to seek all legal redress against persons found to have committed vandalism. Full restitution for the damage caused will be sought from the responsible persons, or in the case of minors, from the minors and their parents, under state law. In addition, disciplinary action will be taken in accordance with board policy and law when district students and/or employees have been found to have committed vandalism of school property.

VENDING MACHINES

Elementary students are not allowed to use vending machines during school hours unless special permission is given by the teacher or principal.

VIOLENT & THREATENING BEHAVIOR

Threatening Behavior

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

Reporting

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

Threat Assessment

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

1. The detail, specificity, context, and content of the threat.
2. The amount of disruption the threat has caused or may cause to the educational environment.
3. Whether the team can identify the source of the threat; anonymous threats may be turned over to law enforcement.
4. When the source of the threat can be identified, the team shall consider, to the extent possible, the individual's:
 - a. State of mind;
 - b. Relationship with peers;
 - c. Age;
 - d. Domestic life;
 - e. Ability to carry out the threat (e.g., access to weapons);
 - f. Past behavior.
5. If any laws have been violated.
6. The identity and potential motives of the individual reporting the threat.

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

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

Disciplinary Consequences for Threatening Behavior

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

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

Violent Behavior

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

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

VISITORS

Parents are always welcome! All visitors should enter the school building by the main front door. **For the protection of**

all students, parents and visitors must sign in at the office, (you may be asked for identification) and receive a nametag to wear before proceeding to meetings, classrooms, the lunchroom or any location on school grounds. Persons who have not signed in or are not wearing a visitor's nametag will be asked to go to the office.

Visitations by non-district children for the entire school day are considered to be distracting in the classroom and are not allowed.

No pets may be brought to school unless prior approval is given by the building principal.

VOLUNTEERS

We are looking for concerned and dedicated adults who are willing to give of their time, talents, and energy for the benefit of our children. Many opportunities for involvement are available: in the library, at the school book fairs, as book buddies, as tutors or classroom helpers, on field days, as resource speakers, as well as mentors. Please contact your building principal for volunteer opportunities. As a volunteer your focus will be on interacting with the children in the classroom. You are encouraged to find childcare for your non-school aged children.

WITHDRAWAL FROM SCHOOL

If a student is changing schools and needs to withdraw, a written withdrawal form must be completed by parents at least one school day BEFORE the day of the planned withdrawal is required. All textbooks and library books must be returned, and any fines or meal charges must be paid.

WELLNESS POLICY

The Board recognizes that there is a direct link between nutrition and learning. This link between nutrition and learning is well documented. Good nutrition and improved health optimizes student performance and ensures that no child is left behind. Healthy eating patterns are essential for students to achieve their full physical and mental growth, and lifelong health and well-being. Healthy eating is demonstrably linked to reducing the risk of developing many chronic diseases in both children and adults.

Schools have a responsibility to help students and staff establish and maintain lifelong, healthy eating patterns. A healthy school environment has been shown to positively influence students eating habits. All students shall possess the knowledge and skills necessary to make nutritious and enjoyable food choices for a lifetime. In addition, the staff is encouraged to model healthy eating and physical activity as a valuable part of daily life.

The Williston Public School District #1's School Board supports a healthy school environment and acknowledges that the higher level of nutrition and wellness practices yield a greater amount of success in learning and quality education for our students. Utilization of the Williston Public School District #1 Administrative Wellness Guidelines will enhance this philosophy.

WHISTLEBLOWER PROTECTIONS POLICY: PROHIBITION AGAINST RETALIATION

Protections: Employees

The Williston School District prohibits and will not tolerate any form of reprisal, retaliation, or discrimination (including, but not limited to: discharge, discipline, threats, or penalizing compensation, work conditions, location, or privileges of employment) against any employee because s/he:

1. In good faith, made or intends to make a report that the school board, school employee, or an entity/person with whom the school district has a business relationship has violated federal, state, or local law/administrative rules or school district policy through practice, policy, act, or omission;
2. Participates in a Williston School District-related investigation, hearing, or inquiry; or
3. Refused to carry out a directive that the employee believes is a violation of state or federal law, rule, or regulation or poses a substantial or specific danger to public health and safety provided the employee has an objective basis for that belief and informs the employer that the directive is being refused for that reason.

Protections: False Claims Act (FCA)

The District shall comply with the FCA and prohibits any district employee, contractor, or other district agent from knowingly submitting or causing the submission of a false or fraudulent claim to the federal government in the district's name. The District will not tolerate any form of reprisal, retaliation, or discrimination (including, but not limited to: discharge, discipline, threats¹ or penalizing compensation, work conditions, location, or privileges of employment) against any employee, contractor, district agent, student, or community member because s/he filed a complaint in good faith under FCA against the District and/or any of its employees, contractors, or agents.

Protections: Students & Community Members

The District will not tolerate any form of reprisal, retaliation, or discrimination against a student and/or community member because s/he, in good faith, filed a complaint against the District (or a district employee, contractor, or agent) under district policy or when authorized by law. Furthermore, the District will not tolerate any form of reprisal, retaliation, or discrimination against a student and/or community member because s/he participates in a district-related investigation, hearing, or inquiry.

Grievance Procedure

Anyone covered by the above protections who reasonably believes that this policy has been violated by a district employee, contractor, or other authorized district agent may file a grievance in accordance with the district's applicable complaint or grievance policy. In the absence of policy, or if policy is not applicable given the nature of the grievance, the individual should report to the Superintendent who shall investigate. If a grievance under this policy concerns the Superintendent, Business Manager, or a school board member, the complainant should report to the Board President or Board Vice President (if the report concerns the Board President) who shall investigate.

Grievances not otherwise covered by deadlines in the applicable district policy must be reported within 180 calendar days unless state or federal law specifies otherwise.¹ Failure to timely present the grievance shall be deemed a waiver of the grievance. Investigations of grievances filed under this policy shall be completed within 60 days unless the investigator documents in writing reasonable cause for extending this investigation deadline. Upon completion of the investigation, the investigator shall issue his/her findings to the complainant in a written report.

Complainants may also report grievances under this policy to the state agency with jurisdiction over the subject of the grievance (e.g., ND Department of Labor or ND Department of Public Instruction), the appropriate federal agency², and/or, if applicable, law enforcement.

If necessary, the Superintendent or the Board President/Vice President may specify reasonable steps to protect the complainant from retaliation during and/or after the investigation. Reports of suspected employee impropriety under this policy shall be treated as confidential to the extent permitted by state law on administrative investigations of school personnel. All individuals involved in an investigation shall be advised to keep information about the investigation confidential and should be advised of the protections contained in this policy.

Policy Violation Consequences

Any employee, district contractor, district agent, or student who is found to have engaged in any of the prohibitions contained in this policy may be subject to disciplinary action including, but not limited to, dismissal or expulsion in accordance with applicable policy and law.

Prohibition of False Claims

The District may take appropriate disciplinary action against a district employee, contractor, and/or other district agent and/or may take legal action against anyone who knowingly files a false claim of reprisal, retaliation, or discrimination under this policy.

Notice of Policy

Each employee, contractor, volunteer, school board member, and student should receive a copy of this policy and should sign a statement verifying his/her receipt and understanding of this policy.

¹FCA has a three year statute of limitations.

² State and federal agencies may have reporting deadlines in place after which the grievance may be denied.

SCHOOL EXPECTATIONS

WE EXPECT STUDENTS TO:

Respect authority by following school rules as well as the laws of the community, state and nation.

Be Respectful Always remember that each person is important and deserves our utmost respect.

Be Responsible Do as they are asked the first time they are asked.

Safe, Respectful, and Responsible We expect students to respect the personal property of others and the school as well as consider the needs and rights of the school and all members of the school community.

WE EXPECT PARENTS TO:

- Assume primary responsibility for the child and his/her behavior. Acknowledge the child's responsibility to the school as well as the home. Recognize that school must primarily concern itself with education.
- Cooperate in conferences regarding health, behavior or academic progress of their child.

WE EXPECT STAFF MEMBERS TO:

- Set high standards for student behavior.
- Exhibit a respect for students that positively help them develop good character traits.
- Plan a flexible program to meet the individual needs of students.
- Communicate with parents when a child's behavior needs improvement.

