

# WILLISTON HIGH SCHOOL



## Student Handbook 2019-2020

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*\*The information listed in this handbook is subject to changes or additions at any time.\**

## **WELCOME TO WILLISTON HIGH SCHOOL**

The purpose of this handbook is to acquaint parents and students of Williston High School with the general rules of our school. No rule or regulation can cover every situation. The staff expects you, as students, to act like young ladies and young gentlemen. We hope to work together with cooperation and understanding to achieve the best possible education for our students. The members of our faculty are here to help and assist you in every way possible to make this year a pleasant and productive learning experience. They will appreciate your cooperation and understanding. Accept your responsibilities: attending school, being on time to all classes, completing your homework, asking for help if you don't understand something and bringing all required materials to class with you. Getting along with all adults and students is a successful transition from childhood to adulthood. Our country, state and community guarantees many rights and freedoms, but they expect and demand many responsibilities in order to guarantee those rights and freedoms. Welcome to Williston High School.

### **Williston Public School District #1**

#### **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.

### **Williston Public School District #1**

#### **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.

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## Williston High School Bell Schedule

Period 0: 7:35 am – 8: 25 am

Period 1: 8:30 am – 9:19 am

Period 2: 9:23 am – 10: 12 am

Period 3: 10:16 am – 11:05 am

Period 4: 11:09 am – 11:58 am

Period 5: 12:02 pm – 12:51 pm

Period 6: 12:55 pm – 1:44 pm

Period 7: 1:48 pm – 2:37 pm

Period 8: 2:41 pm – 3:30 pm

Students will have lunch during their advisory hour as scheduled:  
Period 4 Advisory 11:09 am – 11: 28 am, Lunch 11:28 am – 11:58 am  
Period 5 Advisory 12:02 pm – 12:21 pm, Lunch 12:21 pm – 12: 51 pm  
Period 6 Advisory 12:55 pm – 1: 14 pm. Lunch 1:14 pm – 1:44 pm

*\*All Students must be out of the building by 4:00\**

### ACADEMIC PROGRAM

**AP CLASSES:** Advanced Placement (AP) Courses in English Literature & Language, Psychology, Problems of Democracy, Biology, Physics, Chemistry and US History are taught at WHS. College credits may be earned by taking the AP exam in each class. Fees incurred for the exam are the responsibility of the student.

**ARTICULATION:** Based upon mutual concern for the needs of students pursuing postsecondary education and in an effort to provide a seamless education that builds on past learning experience and eliminates unnecessary duplication of instruction, WHS and the Williston State College have agreed to develop an articulation process to articulate high school courses into appropriate college courses.

**CLASS RANKINGS:** Rank in class shall be determined by grade point average. Only those credits earned in grades 8 through 12 will be used in the ranking.

All grades (including failing grades, repeated courses, summer school, correspondence courses) will be included in determining the student's grade point average and ranking in class.

For purposes of designation of student honors and for college admission information, no less than ten days prior to the last day of school of the senior year will serve as the cut-off date for computation of class rank.

In cases where more than one student has the same numerical grade point average, all students with that average will be given the same rank. The next highest average will assume the next rank position that will indicate the number of students having a higher rank.

**CORRESPONDENCE COURSES:** When Williston High School(s) find(s) it impossible or impractical to offer a course or courses desired by a student, the school principal may permit the student to take such a course or courses from the ND Center for Distance Education or from some other institution which has an accredited correspondence division.

Once enrolled in a class through the Center, the class will be listed on the student's cumulative record form. The grade will be recorded and will be used in determining the GPA of the student.

Credit will be granted only if the course would normally be found in a high school curriculum. To be accepted as a part of the requirements for graduation, the record of credit must be received and recorded one week prior to graduation.

The principal will supervise the student's work or will assign a teacher to do so. Responsibility for success or failure in correspondence work rests entirely with the student.

**CORRESPONDENCE/INDEPENDENT STUDY CRITERIA FOR SENIORS:** If a student needs to complete correspondence work in order to satisfy the graduation requirements for Williston High School, he/she will need to complete the coursework in the following manner. During the regular school year, the coursework **MUST** be completed and submitted to the ND Center for Distance Education prior to the graduation practice.

- During summer school, the coursework **MUST** be completed and submitted to the North Dakota Center for Distance Education (NDCDE) two weeks prior to the graduation exercise.
- Students must be enrolled in core classes (English, math, science, social studies) for a minimum of nine weeks at Williston High School before administration will consider approval of independent study through the NDCDE.

**DUAL CREDIT COURSES:** WHS will grant high school credit to any sophomore, junior, or senior for 3 or 4 credit classes taken (WITH PRIOR ADMINISTRATIVE APPROVAL) at any post-secondary institution. Dual Credit classes in core subject areas will be weighted when calculating the GPA. The student is responsible for all costs associated with enrollment in such a program. Students must be enrolled in a total of five classes to be a full time student. Required courses must be taken at WHS. For more information, contact the high school counselors. **Dual credit classes offered at the high school must be taken through the high school.**

**EDUCATION OF HOME SCHOOLED STUDENTS:** The Williston School District acknowledges the right of a parent to provide their own child's education in a home-based setting. The Superintendent will accept as correct the information on the statement of intent filed with the District in accordance with North Dakota Law.

Homeschooled students are eligible to transfer into Williston School District schools and/or participate in individual district classes and/or extracurricular activities on the same basis as students already enrolled.

Transfers of Homeschooled students

Homeschooled students transferring into district schools will be required to produce documentation containing a list of courses taken, grades earned, and the results of standardized achievement tests. Placement will be determined in accordance with district placement standards.

Students without records or whose records do not indicate proper placement shall be subject to placement testing.

Students believed to have a disability impairing learning shall be tested and placed in accordance with law and applicable policy.

#### Diplomas for Homeschooled Students

Williston Public School District shall not award diplomas to homeschooled students. Students must enroll full-time in the Williston Public Schools educational program and complete all the necessary requirements to be eligible for a diploma.

**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.

**GRADE SCALE:** The following is the grade scale for Williston Public Schools:

A = 100 % - 92 % = 4.0  
B = 91 % - 83 % = 3.0  
C = 82 % - 74 % = 2.0  
D = 73 % - 65 % = 1.0  
F = 64 % or below = 0.0

**WEIGHTED GRADE SCALE:** A weighted grade scale will be used for Honors, Dual Credit (core subject areas only) and Advanced Placement (AP) classes.

A = 5.0  
B = 4.0  
C = 3.0  
D = 2.0  
F = 0.0

**HONOR ROLL:** To be included on the nine weeks honor roll, a student must have at least a 3.0 grade point average. Honor roll groups will be recognized. "B" honor roll will include students who have a 3.0-3.49 GPA and "A" honor roll will include students who have earned a 3.5- 4.0 GPA.

**NATIONAL HONOR SOCIETY (NHS):** The National Honor Society is a leader among organizations and societies that promote appropriate recognition for students who reflect outstanding accomplishments in the areas of scholarship, character, leadership and service.

*Who is eligible for selection into the National Honor Society?* Juniors and Seniors who have a GPA of 3.5 or higher will receive a packet which they will complete to provide information to be used by the Faculty Selection Committee to support their candidacy for membership. Membership is granted only to those students selected by the Faculty Council. This is not an election, nor is membership automatically conveyed simply because a student has achieved the specified GPA.

PLEASE NOTE: Membership in the National Junior Honor Society (NJHS) at Williston Middle School does *not* automatically insure membership at Williston High School.

Selection is based on scholarship, leadership, service and character. Selection process and induction will be in the fall semester of an eligible student's junior and senior year. Further information can be secured from the NHS advisor.

**P.A.S.S.:** P.A.S.S. is a credit recovery program in which students who need to recover credits can do so online at school during the school day. Students who participate in P.A.S.S. do so because the credit they need to recover does not fit into their class schedule. **Students at Williston High School will be allowed to take no more than three credits of independent study course work.** Students who need more than

three credits of independent study course work will be encouraged to apply to the Del Easton Alternative School.

Criteria for students Recovering Credit with P.A.S.S.

- Students in grades 9-11 must be behind by at least 2 credits.
- A student must have tried to complete the core course in the classroom.
- A student must wait until next semester to begin class. (e.g. Student cannot drop Biology and then take the course via independent study the next day.) That student must wait until the beginning of the next semester.
- For whatever reason, summer school is not an option for this student to make up work.
- Transfer students finishing a course do not need to meet above criteria.
- Seniors who need more than 6 credits to graduate are automatically eligible.
- Students who have lost credit in all courses due to attendance will be looked at on a case by case basis regardless of age. This will allow those students to obtain some elective credit for that school year.
- For academic eligibility purposes, students must be passing and progressing in their PASS class.
- All cases are left to the discretion of Administration.

**SCHEDULE CHANGES:** A student schedule is established at pre-registration and only *extenuating circumstances* should bring about a request for change. All schedule changes must be approved by an administrator or the guidance counselors and will not be made over the phone.

If a student is removed from class for disciplinary reasons, a failing grade will appear on the report card and permanent record. This grade will become a part of the GPA. The student will be assigned to a non-release study hall for the period which the class was dropped.

**SUMMER SCHOOL:** Williston Public School District #1 offers a summer school program for make-up or acceleration. A maximum of one credit may be earned each summer. Summer offerings are limited. The required US History course may be taken during summer school after the sophomore year. The driver education class may be taken during summer school. Courses are subject to change. A full course list is available in the spring.

**TESTING PROGRAM:** Testing results play an important part in helping each student to appraise and understand personal academic strengths and weaknesses. The testing program includes:

GRADE 10	Pre-ACT
GRADE 11	PSAT, ND State Assessment, ACT, Work Keys
GRADE 12	SAT, ACT, Work Keys

## **GRADUATION (SCHOOL SPONSORED EVENT)**

**GRADUATION EXERCISES:** The School Board wishes to recognize the achievement of high school graduation by annually holding a graduation ceremony.

**PARTICIPATION REQUIREMENTS FOR GRADUATION:** Only students who have completed all district graduation requirements shall participate in the ceremony. The Superintendent is authorized to make exceptions to this policy under the following circumstances:



1. A foreign exchange student, upon successful completion of the school year.
2. A special education student who is unable to meet graduation requirements but will receive a certificate of attendance or special education diploma.

Students allowed to participate in graduation as a result of one of these exceptions shall not be issued a diploma unless the student has met district graduation standards, and is attending district schools.

Participation in the graduation ceremony is a privilege not a right. Students who violate student conduct policies/regulations may be denied the privilege of participation in the ceremony at the principal's or superintendent's discretion. Students who have violated the code of conduct may be given the opportunity to earn the privilege to participate in the graduation ceremony through community service hours at the discretion of the principal. Students must be in good standing (meeting graduation requirements) the morning of graduation practice in order to participate in the graduation ceremony.

**GRADUATION SPEAKERS:** Student graduation speakers shall be selected based on neutral criteria. Student speakers shall have primary control over their speech and the district's policy on student speech at student assemblies shall apply to graduation ceremonies.

**SENIOR HONOR GROUP:** The senior honor group will be selected at least 10 school days prior to the last Day of the academic school year.

The graduating class of 2022 and beyond must meet the following criteria to be selected to be a part of the senior honor group:

- GPA of 3.5 or higher
- Advanced Placement or Dual Credit Course
- Math of Algebra II or higher
- Two consecutive years/credit(s) of the same foreign language, fine arts or CTE course.

**WILLISTON HIGH SCHOOL GRADUATION REQUIREMENTS:**

To graduate from WHS, a student must complete 22 units of credit.

English.....	4 Units (9th, 10th, 11th, 12th)
Social Studies.....	3 Units
World History.....	1 Unit
US History.....	1 Unit
Problems of Democracy.....	1 Unit
Science.....	3 Units
Physical Science (or Chemistry and Physics).....	1 Unit
Biology.....	1 Unit
One Choice.....	1 Unit
Mathematics.....	3 Units
Physical Education.....	1 Unit
½ Unit of PE plus ½ Unit of PE or PE elective	
Financial Literacy or Living On Your Own.....	½ Unit
Any combination of the following:	
a. Foreign Languages	
b. Fine arts	
c. Career and Technical education courses.....	2½ Units

Electives.....5 Units  
 Total.....22 Minimum

***In order to graduate with a Williston High School diploma, all students must pass the Civics test required by the state of North Dakota.***

*\*Freshman and sophomore students are required to take 7 classes and advisory per semester. Juniors are required to take at least 6 classes and an advisory per semester, and seniors are required to take at least 5 classes and an advisory each semester. A two-hour class counts as 2 classes. No senior may participate in the WHS graduation ceremony if they have not met the graduation requirements prior to graduation or if they fall below the full-time status.*

**COLLEGE ADMISSION REQUIREMENTS:** All students who graduate from high school, whether in North Dakota or any other state, and who are under age 23 are subject to admission requirements. Admission requirements apply to all four-year public campuses in North Dakota - NDSU, UND, Dickinson State, Mayville State, Minot State, and Valley City State. Requirements are NOT in effect at the five two-year campuses in the system.

Courses at the secondary level are required in the following areas, regardless of student age or grade when taking the course:

- 4 units of English, including the development of written and oral communication skills. (Basic English classes do not apply).
- 3 units of Mathematics, Algebra I and above (Applied Math I & II, Basic Geometry classes do not apply).
- 3 units of Laboratory Science, including at least 1 unit each in 2 or more of the following: Biology, Chemistry, Physics, or Physical Science (Applied Science classes do not apply)
- 3 units of Social Studies, excluding Consumer Education, Cooperative Marketing, Orientation to Social Science, and Marriage/family.

Students are encouraged to check with the counselors to confirm which requirements are necessary for admission to the college of their choice.

**North Dakota Academic Scholarship/North Dakota Career and Technical Education Scholarship:**

The amount of each scholarship is \$750 per semester, \$500 per quarter, or \$1,500 for the academic year based on full-time enrollment in an accredited higher education institution in North Dakota, both public and private. The scholarships are renewable provided the student maintains a 2.75 grade point average based on a 4.00 scale reviewed each semester. The student must be enrolled in a minimum of 12 hours the first two terms and 15 hours each term thereafter. Students may qualify for either the North Dakota academic Scholarship or the North Dakota Career and Technical Education Scholarship. The students may be eligible for up to \$6,000 within six academic school years (do not have to be consecutive years) of undergraduate study after graduation from high school.

*\*The application deadline will be posted in January of each year, with high school graduates notified of their eligibility for either scholarship by the state. No late applications will be accepted.\**

**North Dakota Academic Scholarship Eligibility Requirements:**

1. Student must be a resident of North Dakota.
2. Student must graduate from a high school in North Dakota or from a high school in a bordering state according to provisions set forth in ND Century Code 15.1-29.
3. Student must complete the following course requirements:
  - a. 4 units of English language arts from a sequence that includes literature, composition, and speech
  - b. 3 units of mathematics, including 1 unit of Algebra II and 1 unit of mathematics for which Algebra II is a prerequisite
  - c. 3 units of science, including 1 unit of physical science and 1 unit of biology
  - d. 3 units of social studies, including 1 unit of US History, 1 unit of problems of democracy or ½ unit of US Government and ½ unit of economics, and 1 unit or two ½ units of any other social science
  - e. 1 unit of physical education or ½ unit of physical education and ½ unit of health
  - f. 2 units of the same foreign language, or Native American language, or sign language
  - g. 1 unit selected from foreign languages, Native American languages, American sign language, fine arts, or Career and Technical Education
  - h. Any 5 additional units, 1 of which must be in fine arts or Career and Technical Ed
4. Fulfill any 1 unit requirements set forth above by means of an advanced placement course and examination
 

**OR**

Fulfill any ½ unit requirement above by means of a dual credit course
- 5a. Obtain a grade of at least “C” in each unit or ½ unit in all courses enrolled and obtain a cumulative grade point average of at least 3.0 on a 4.0 grading scale (non-weighted grading scale) for all courses enrolled
 

**OR**
- 5b. Obtain a grade of “C” in each unit or ½ unit and obtain a cumulative grade point average of at least 3.0 on a 4.0 grading scale (non-weighted grading scale) based ONLY on the 22-units defined in sections 3 and 4 above
6. Receive a composite score of at least 24 on ACT

ND Career and Technical Education Scholarship Eligibility Requirements:

1. Student must be a North Dakota resident.
2. Student must graduate from a high school in North Dakota or from a high school in a bordering state according to provisions set forth in ND Century Code 15.1-29
3. Complete the following course requirements:
  - a. 4 units of English language arts to include literature, composition, and speech
  - b. 3 units of mathematics, including 1 unit of Algebra II and 2 units of any other mathematics
  - c. 3 units of science, including 1 unit of physical science and 1 unit of biology
  - d. 3 units of social studies, including 1 unit of US History, 1 unit of problems of democracy or ½ unit of US Government and ½ unit of economics, and 1 unit or two ½ units of any other social science
  - e. 1 unit of physical education or ½ unit of physical education and ½ unit of health
  - f. 1 unit selected from foreign languages, Native American languages, American sign language, fine arts, or Career and Technical Education
  - g. 2 units of a coordinated plan of study recommended by the Department of Career and Technical Education. The coordinated plans of study may be viewed at: <http://www.nd.gov/cte/programs/career-dev/plans-of-study.html>
  - h. Any 5 additional units, 2 of which must be in the area of Career and Technical Education
- 4a. Obtain a grade of at least “C” in each unit or ½ unit in all courses enrolled and obtain a cumulative grade point average of at least 3.0 on a 4.0 grading scale (non-weighted grading scale) for all courses enrolled

**OR**

- 4b. Obtain a grade of "C" in each unit or ½ unit and obtain a cumulative grade point average of at least 3.0 on a 4.0 grading scale (non-weighted grading scale) based ONLT on the 22-units defined in section 3 above
5. Receive a composite score of at least 24 on an ACT or a score of at least "5" on each of 3 Work Keys assessments to include Reading for Information, Locating Information, and Applied Mathematics.

## **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. Excused absences count toward the 8 attendance policy.
- *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 ABSENCES:** The School 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.

**Parents:** *It is your responsibility to let the school know when your child is not going to be in attendance. Your student(s) will be considered unexcused until we've received verification from you that they had your*

permission to be out of class. Please be advised that unexcused absences can have an impact on your student's grades as they may result in a zero on assignments, tests etc. So please do your part to ensure that your student(s) are receiving the grade they deserve by verifying their absences.

**Attendance:** Please familiarize yourselves with our attendance policy (listed below). Attendance information is available to you on PowerSchool, we are requesting that you consult PowerSchool frequently to stay up-to-date with your child's attendance. The WHS Attendance Office is no longer assuming responsibility for calling parents regarding all unexcused absences but will try to consult you when we notice patterns developing or suspect that a student is skipping class.

All Freshmen and Sophomores who are placed in a Study Hall must attend that class.

**ATTENDANCE POLICY:** A student must not be absent from a class more than 8 times for a semester course. As a matter of procedure, the Attendance Office will notify parents whenever a student has accumulated 5 or more non-school related absences in a class. From then on, it is the student's and parent's responsibility to monitor his/her attendance to avoid credit loss. Upon a student's 9th absence in a semester course, (excluding absences due to school activities, medical absences supported by a physician's written verification of specific illness, and suspension), the parent/guardian will receive a written notice of credit loss.

**ATTENDANCE APPEAL POLICY:** In the event of credit loss, students and their parents/guardians will be able to appeal the credit loss through the attendance appeal procedure. Students and parents/guardians must obtain an attendance appeal form from the office or online and fill it out completely. In order for students to qualify for the attendance appeal process, the student must be passing the class and losing credit due to excessive absences only. **It is the full responsibility of the parent(s)/guardian(s) and students to be aware of the student's full attendance record during the school year in each of his/her classes.** All appeals must be submitted within 10 school days of the excessive absence limit. Documents upon which the appeal is being made should accompany the appeal form.

**CLASS ADMITS:** All absences must be cleared through the office by a phone call or personal contact from the parent or guardian. This is necessary to be admitted to school and class after an absence. Absences that have not been verified by a parent are considered unexcused and may result in your student receiving detention and a zero on his/her assignments, tests etc.

**EXTENUATING CIRCUMSTANCES:** Extenuating circumstances will be determined by the administrative office. Students may receive homebound tutor services, prior to, at the time of, but no later than one week following, the absence.

*\*EXTENUATING ABSENCES WILL BE MARKED AS EXTENUATING AND WILL NOT COUNT AGAINST THE ATTENDANCE POLICY BUT WILL COUNT AGAINST THE TESTING POLICY.\**

**LEAVING SCHOOL DURING SCHOOL DAY; DENTAL, DOCTOR, COURT VISITS:** Students are urged to make appointments for times outside the school day. When this is not possible, appointments should be made during their study hall period. Either a parent phone call or appointment verification is needed at the time a pass is issued to leave the building. A student must have parental permission by a phone call

to leave the building anytime between 8:30 a.m. and 3:30 p.m. He/she must check out, and in, at the office before leaving, and upon returning.

Failure to check out may result in detention, in school suspension, or out of school suspension being assigned.

*\* Students will not be released to anyone other than a parent unless the school has received prior notice from a parent stating who will be picking up the student & identification is provided by said person at the time of release. \**

**MEDICAL ABSENCES:** Any absence due to surgery, illness, or appointment related to professional medical or therapeutic services will count as a medical absence. A medical excuse for absences related to physical or mental health appointments or extended absences will be accepted by the administration.

*\*ALL MEDICAL EXCUSES ARE ACCEPTED AT THE DISCRETION OF ADMINISTRATION.\**

**EXTENDED ILLNESS:** Students who have a medical recommendation to remain home for an extended period of time (*3-5 days*) should contact one of our counselors to have an attendance modification plan put into place.

**FAMILY EMERGENCY:** The death of a family member, up to five school days, will not count against the attendance policy at the discretion of Administrators. A bulletin from the funeral service must be shown at the attendance office upon the student's return to school.

**FINAL EXAMS:** All students regardless of attendance are required to take two final exams and the required exams for the class. Any student enrolled in a course that has a mandatory final, must also take that final exam regardless of year in school.

Freshmen: Mathematics and Science Course  
Sophomores: Mathematics and Science Course  
Juniors: US History and English  
Seniors: Problems of Democracy and English

**GOOD ATTENDANCE/TARDY REWARD POLICY:** Any student who does not miss more than 2 class periods and/or has 2 or less tardies in a class period in a semester subject **and maintains an overall grade of B or higher** will be exempt from the final test in that subject except as stated above. **Students will have the option of taking a final to improve their grade if they are exempted due to this policy. In this situation, the test will only be figured into the final grade if it will improve the student's overall percentage.**

*\*All absences count against the reward policy except school-related activities. Students who miss more than 25 minutes of a class will be counted absent.\**

**COLLEGE VISIT DAY:** Seniors and juniors will be allowed one college exploration day. Advanced makeup slips need to be picked up from the attendance office upon approval from administration. Students **MUST** complete all work, get the teacher's signatures, and return the make-up slip to the office **BEFORE** being

allowed to go on their college exploration day. Failure to comply will result in missed days counting towards the attendance policy.

This day must be used before April 30 to explore a college or to prepare for entering into the military. Students must get a signed business card from the college or branch of the military in the city they are visiting. This card must be given to the attendance secretary upon return from the visit. Seniors who need additional days must submit a request two weeks prior to leaving to the principal for extended travel outside the region.

**MILITARY INDUCTEES:** Absences for military service will not count against the attendance or testing policy.

**SCHOOL SPONSORED EVENT ABSENCES:** Students attending school sponsored events as *participants* are not marked absent in the official school attendance register and for testing. This policy only applies when Williston High School is involved in the activity.

If WHS is not competing in the NDHSAA sponsored event, it does count against the attendance policy and required semester testing. Students who travel to extracurricular events must be in school the entire next day. Students who fail to attend morning classes will be unexcused.

Students attending school sponsored events as *spectators* must not be failing more than one class, as defined in the Extra Curricular Participation Requirements Policy, in order to not be marked absent in the official school attendance register and **must also get an advanced make-up slip and complete all work before they are allowed to leave**. All students must check in with the school event representative during the event to have attendance marked.

*\*This includes events such as; but not limited to, State and WDA Tournaments.\**

**TARDY POLICY:** Students are expected to be on time and prepared for school. Students who miss more than 25 minutes of a class will be counted absent.

The following will occur if a student is consistently tardy to one class period:

- 1<sup>st</sup> and 2<sup>nd</sup> offense:** Teacher talks with student about tardies.
- 3<sup>rd</sup> offense:** Teacher meets with student to discuss Tardy Policy.
- 4<sup>th</sup> offense:** Student is assigned half hour detention from the dean of students, attendance secretary, or assistant principal.
- 5<sup>th</sup> offense:** Student is assigned a one-hour detention from the dean of students, attendance secretary, or assistant principal.
- 6<sup>th</sup> and 7<sup>th</sup> offense:** Student spends one hour in Choices room. Assistant principal or dean of students contacts parent/guardian.
- 8<sup>th</sup> offense:** Half day in school suspension. Assistant principal or dean of students contacts parent/guardian.
- Each offense after 8:** One day of in school suspension. Assistant principal or dean of students contacts parent/guardian.

**DETENTION:** Unexcused absences, misconduct, tardies, etc., may result in serving time in detention or suspension. Detention time is spent after the regular school day in the assigned detention room.

## **EDUCATIONAL SERVICES**

**ACCOMMODATION PLANS – SECTION 504:** Williston Public School District #1 has a duty to locate, evaluate, and identify any child attending the public schools who may require Section 504 accommodation or services. Children eligible for Section 504 accommodation or service include those children who have a physical or mental impairment that substantially limits a major life activity. Disability defined under Section 504 of the Rehabilitation Act of 1973 protects students from discrimination based upon their disability status. A student qualifies as disabled under the definition of Section 504 if he or she:

- Has a mental or physical impairment, a record of impairment, or is regarded as having such an impairment; and
- Is substantially limited in his or her major life activities that include abilities such as (but not limited to) self-care, breathing, walking, seeing, performing schoolwork, speaking, and learning.

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 at 572-1580.

**COUNSELING AND GUIDANCE:** The counselors help students with academic problems, personal problems, selection of courses of study for each year, selections of college-technical school and other post-high school plans, and testing and interpreting test results. The Guidance Office is open from 8:00 am to 3:45 pm daily. Students may visit with counselors before and after school or during study halls. Tutoring services are also available through the counselors' office.

**HOME AND HOSPITAL TUTORING:** Any student with a health or physical impairment which will cause an extended absence from school is eligible to receive home and/or hospital tutoring. The health or physical impairment must be verified by a written statement from a licensed physician. In conjunction with the physician, school personnel will determine if the student can educationally benefit from such a program. Parents should contact their child's guidance counselor for a medical certification form and have it completed by their physician.

**SPECIAL 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.

After school tutoring services and academic support classes are also available for students. The purpose of these programs are to give identified students additional support above and beyond the primary instruction they receive in the classroom.

**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.

**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).

## **ACTIVITIES & ATHLETICS**

**ATHLETIC ACTIVITY FEES:** A \$55.00 fee will be charged for participation in athletic activities. This fee will be assessed for *each* sport season and is due *before* a student will be allowed to participate in regular competition. Any student-athlete who does not pay the activity fee by the deadline may incur a late fee.

Student athletes may incur additional sport related fees including but not limited to hotel stays, travel meals, camp fees, etc.

All students are required to purchase an Activity Pass with which students can get into games & activities.

**ATHLETIC PHYSICALS:** No student may start practice for any athletic team until he or she has been examined and approved by a medical doctor and until a current medical release from the doctor and written consent from the parent(s) are on file in the district.

**CODE OF CONDUCT:** A current Code of Conduct **MUST** be turned in before students can begin practice.

**ATHLETICS OFFERED AT WILLISTON HIGH SCHOOL:**

Football, Wrestling, Basketball, Track, Tennis, Cross Country, Cheerleading, Golf, Swimming, Volleyball, Hockey, Softball, Baseball, Soccer

**ACTIVITIES OFFERED AT WILLISTON HIGH SCHOOL:**

Close-Up, Future Business Leaders of America, Science Club, Future Farmers of America, Student Council, Students Against Destructive Decisions, Foreign Exchange Program, Speech, Skills USA, Drama, Leo’s Club, Family, Career and Community Leaders of America, Science Olympiad, Art Club, National Honor Society, Yearbook, Band, Choir, Jazz Band, Vocal Jazz, Gaming Club

**EXTRACURRICULAR PARTICIPATION REQUIREMENTS**

The School Board believes that participation in extracurricular activities constitutes a privilege and not a right. Students who participate in extracurricular activities represent the student body, school district, and community on the state and national level. As such, behavior of these students is a reflection of the entire community.

The District will enforce the requirements placed on extracurricular participants by the North Dakota High School Activities Association (NDHSAA), which govern both on- and off- campus behavior. In addition, the Board has established the following extracurricular participation requirements.

**ACTIVITIES AFFECTED BY THIS POLICY:** Activities affected by this policy shall include extracurricular activities as listed in the student handbook, including those not sponsored by NDHSAA.

**ACADEMIC REQUIREMENTS:** NDHSAA requires that local districts establish a definition of what constitutes a failing grade. For the purposes of this policy, a failing grade is defined as receiving an F or lower in any curricular course as computed from the beginning of the semester for regular education students or, in the case of special education students, not meeting the goals of Individual Education Programs as assessed from the beginning of the semester.

In addition to NDHSAA academic standards, the Williston School District also requires that no student may participate in a contest or other activity function if he or she is failing more than one class as computed from the beginning of the semester or school year for yearlong classes. Students who are academically ineligible will not be allowed to dress, participate, or to travel to away events during their time of ineligibility.

**ATTENDANCE:** In order for students to participate in extracurricular activities, the students must be present at school prior to the event.

**VIOLATION OF OTHER MISCONDUCT POLICIES:** Students who violate student conduct policies not covered by NDHSAA bylaws may be subject to suspension from extracurricular activities for a period of up to six (6) consecutive weeks for the first offense and a period of eighteen (18) weeks for any subsequent offense(s) if occurring within the same school year. Such consequences shall be imposed in addition to other disciplinary consequences imposed under the applicable policy.

**SUSPENSION PROCEDURE:** When the athletic director, principal, or Superintendent, as a result of his/her investigation concludes that a violation of this policy or NDHSAA bylaws has occurred, s/he shall issue notice to the student of this suspension.

**PRACTICE AND TRAVEL WHILE SUSPENDED:** Students who are under suspension are encouraged to practice with their respective teams. However, suspended students will not be allowed to travel with the team or any other student organizations of which they are a member.

**PERIOD OF ENFORCEMENT:** This policy shall be in effect 12 months per year, including those days and months when school and extracurricular activities are not in session. It shall be in effect for all extracurricular activities including those of middle school students.

**OFF-SEASON VIOLATIONS:** In addition to the penalties delineated in this policy, in the event the suspension is administered during a season when the student is not actively participating (e.g., summer for all students, fall for a student participating in track), the student's suspension shall be extended to the start of the student's next activity. "Next activity" shall be defined as the next activity in which the student begins practicing at the appropriate date and concludes at the end of the season (i.e., does not start and quit). A summer violation will result in a suspension that begins on the first day of practice (if the student historically participates in a fall sport). If the student does not historically participate in a fall and/or winter sport, the suspension will begin on the first day of school. The student will also not be allowed to compete in the first 15% of the regularly scheduled contests in his or her next activity during that school year.

**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.

**STUDENT FAN BEHAVIOR:** Any WHS student attending an extracurricular event and acting in an inappropriate manner will be subject to disciplinary action. Disciplinary action may include, but is not necessarily restricted to:

**1<sup>st</sup> offense:** being suspended from attending extra-curricular events for six-weeks.

**2<sup>nd</sup> offense:** being suspended from attending extra-curricular events for eighteen-weeks.

**3<sup>rd</sup> offense:** being suspended from attending extra-curricular events for the remainder of the academic year. Other consequences may include suspension and expulsion.

*\*Any student who violates the code of conduct or drug/alcohol laws will be subject to the same consequences as students who participate in extra-curricular activities. This includes suspension from school-sponsored events such as prom, graduation ceremonies, etc.\**

**NORTH DAKOTA HIGH SCHOOL ACTIVITIES ASSOCIATION (NDHSAA) CHEMICAL RULE:** "The use or possession of tobacco, alcohol, non-prescription anabolic steroids, inhalants or any controlled substance as defined by North Dakota Law is prohibited. Any extra-curricular participant who is in violation of the foregoing shall be suspended from participation in interscholastic contests or activities for a minimum period of six consecutive school weeks from the first offense and a period of eighteen consecutive school weeks for any subsequent offense."

A hearing with the student (*parents may be present*) will be conducted. Student rights and due process will be explained with all options available to them discussed. If found guilty of the reported infraction, a 6 or 18-week suspension will be implemented. During the suspension no travel with the team nor presence on the sideline or bench will be permitted. Should the student not be involved in an extra-curricular activity at the time of the infraction, they will be required to sit out a specific number of events as stated in the policy.

The possession or use of alcoholic beverages, tobacco, or drugs on the school premises is prohibited. The use, or suspected use, of alcohol or drugs will result in a suspension/expulsion, and other action as prescribed by school officials.

### **DISCIPLINARY PROCEDURES**

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

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

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

**DISCIPLINARY STANDARDS FOR SPECIAL EDUCATION STUDENTS:** District employees are required to comply with the Individuals with Disabilities Act when responding to violations of student conduct standards by special education students.

**PROHIBITED DISCIPLINARY ACTIONS:** The School 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.

**ACCEPTABLE USE POLICY:** The Williston School District believes network access plays an important role in the education of students; however, the network also contains content that is not appropriate for students and staff. The District has taken precautions, in accordance with federal law, to restrict students and staff access to obscene, pornographic, and/or harmful information through the use of software designed to block sites containing inappropriate material. While the District has taken 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 and staff about appropriate online behavior, including interacting with other individuals on social networking websites, as well as, cyberbullying awareness and response.

MONITORING USE: Network access is a privilege, not a right. Network storage areas shall be subject to the same scrutiny as school lockers for students. Students and staff shall have no expectations of privacy when using district computers and/or networks and shall use this technology solely for classroom/district-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. The Superintendent or designee may take disciplinary measures when any of the following actions occur:

1. Accessing, downloading, or publishing inappropriate Internet material;
2. Sending or posting threatening, harassing, insulting, annoying or alarming content;
3. Sending, posting, or using obscene language;
4. Violating the privacy rights of students and employees of the District;
5. Vandalizing and/or tampering with district computers, and/or networks;
6. Hacking or any other form of unauthorized access to accounts, computer systems, or files;
7. Attempting to breach network security or transmit viruses;
8. Violating copyright, trademark, trade secret, or other intellectual property laws;

9. Using the network for political purposes as defined by state law, financial gain, and/or commercial purposes;
- 10. Accessing social networking or other Internet sites for noncurricular purposes**
11. Other actions deemed inappropriate or is not in the best interest of the District, its employees, and students.

**VIOLATION:** Violations of this policy, or any federal/state law, rule or regulation, may result in loss of network privileges, as well as further disciplinary action up to and including suspension or expulsion for students or termination of employment for staff, as determined by the Superintendent or designee.

**CONSENT:** All students and staff must consent to this policy in writing prior to accessing district networks, computers, and/or other technologies.

**ALCOHOL & OTHER DRUG USE/ABUSE:** 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 (*when a teacher/principal participates in a juvenile court program and receives confidential information about a student*), 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.

**BREATHALYZERS:** The use of alcohol is prohibited at all WHS sponsored events. To ensure safe and appropriate behavior breathalyzers will be used to randomly check students at school sponsored events, such as sport activities, dances, prom, and Homecoming. The use of breathalyzers will also be used during the school day in the event that an administrator has reasonable suspicion a student has been using alcohol. Refusal to take breathalyzer by student may result in Code of Conduct violation and/or suspension.

**ASSAULT:** Parent(s)/guardian(s) will be notified if their child assaults a school employee, student, or other person while in the care of the school, or in the course of a school-related activity. Proper law enforcement authorities will be contacted.

**BULLYING POLICY:** 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 AND OTHER 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 AND 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 AND 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.

**PREVENTION PROGRAMS AND PROFESSIONAL DEVELOPMENT ACTIVITIES:** In accordance with law, the District shall develop and implement bullying prevention programs for all students and staff professional development activities.

**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 law 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.

## **CELL PHONES/ELECTRONIC DEVICES/GAMES/HEADPHONES:**

### **Definitions**

For the purposes of this policy:

- *Inappropriate content* is defined as content that:
  - a. Violates a district student conduct policy.
  - b. Attacks ethnicity, race, religion, or other legally protected status.
  - c. Promotes violence, terrorism, or other illegal activities including, but not limited to, tobacco, drug, and/or alcohol use by minors.
  - d. Is obscene or pornographic as defined by community standards.
  - e. Is reasonably forecasted to materially or substantially disrupt the educational environment.
  - f. Poses a direct threat to the physical safety of the school population.

- g. Infringes on the rights of others, such as (but not limited to) material that is potentially libelous or invades an individual's privacy.
- *Personal technology* is defined as a device that is not owned by the District, is in the possession of a student, and contains one or more of the following features:
  - a. Has the capability to connect to one or more networks including but not limited to, a cellular network, Internet, Ethernet, and/or Bluetooth.
  - b. Has a digital camera and/or video recording device.
  - c. Has a microphone.
  - d. Has data storage capability.
  - e. Has an operating system and/or the capability of running software, apps, and/or electronic games.
- *School day* is defined as beginning and ending at the following times 7:30 a.m. – 4:00 p.m.
- *School property* is defined as all property owned or leased by the District, school buses, and other district-owned or contracted vehicles.

### **Prohibitions**

The Williston School District prohibits students from using personal technology as follows:

1. Students are prohibited from using personal technology to violate a student conduct policy including, but not limited to, policies on cheating and bullying while on school property or at a school-sponsored event.
2. Students are prohibited from using personal technology to photograph or video record inappropriate content and/or transmit inappropriate content while on school property and/or participating in school-sponsored events.
3. Students are prohibited from displaying and/or using personal technology in areas where there is a reasonable expectation of privacy on school property and at school-sponsored events. Students are also strongly discouraged from possessing personal technology in areas where there is a reasonable expectation of privacy on school property and at school-sponsored events.
4. Students are prohibited from using personal technology to compromise district networks or access confidential material on district networks. The District may also take disciplinary action against a student who has used personal technology to engage in hacking, trolling, accessing or transmitting inappropriate material, spamming, sending viruses, and/or engaging in illegal or other inappropriate activity while on school property or participating in school-sponsored activity.
5. Students are prohibited from using personal technology disruptively or in a manner that potentially compromises the safety of others on district property and during school activities.

### **Classroom Use**

Teachers may prohibit use of personal technology in the classroom.

Teachers may alternatively establish rules related to use of personal technology in the classroom. These rules:

1. Shall comply with this and other student conduct policies.
2. Shall take into account the ages of the students.
3. Shall take into account the availability of district-owned technology for student use.
4. Shall take into account the extent to which personal technology use would disproportionately grant students who have access to it an unfair advantage over those who do not.

5. Shall address cheating and disruptive use of personal technology.

Building principals shall establish rules regarding student use of personal technology during lunch, break periods, and study hall.

### **Disciplinary Consequences & Confiscation**

Students in violation of any portion of this policy will be subject to disciplinary procedures in accordance with the district's student conduct policies. In addition, teachers may confiscate personal technology when a student is reasonably suspected of using it to violate this policy or classroom rules. Teachers may keep the personal technology until the end of class or turn it over to the building principal for further action. Teachers shall make this determination based on the severity of the suspected offense. Under no circumstances shall a teacher or ancillary staff member search personal technology.

The building principal shall determine how long to keep confiscated personal technology based on the following criteria:

1. The nature of the offense; if illegal activity is suspected, the administrator shall contact law enforcement and the Superintendent and retain the device until further directed by law enforcement or the Superintendent.
2. If the confiscate item is a phone, the principal should consider if the student walks or drives to and from school and potential safety considerations associated with not having the phone in the student's possession.
3. Other considerations of significance based on the nature of the device confiscated and the student's disciplinary history.

### **Searches of Personal Technology**

The building principal, law enforcement, or Superintendent is authorized to search student personal technology only when s/he has credible, specific, and timely reason to believe that the device contains evidence of wrongdoing by a student or potential harm to self or others. Only areas of the device reasonably related to the purpose of the search will be subject to a search (e.g., if a student is texting inappropriate photos, only the device's text messages will be searched). The building principal and Superintendent are authorized to contact legal counsel to help determine the appropriate scope of the search.

If the building principal, law enforcement, or Superintendent suspects or finds that a student's personal technology contains content that violates NDCC 12.1-27.1-03.3 or other laws, s/he shall contact law enforcement. Under no circumstances shall school officials download or transfer sexually explicit content from a student's personal technology. Law enforcement, including school resource officers, must have probable cause to search the device, preferably in the form of a search warrant.

### **Exceptions**

The Superintendent and/or his/her 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).

### **Emergencies**

Students may use any available cellular telephone in the event of an emergency that threatens the safety of students, staff, or other individuals.

**At Williston High School, there are safe times to use your electronic device/phone. The safe times are before school, at lunch, after school, and during passing periods as long as the use is not interrupting the educational process.**

If your phone is confiscated:

- 1<sup>st</sup> Offense: The phone/device/headphones are kept until the end of the day.
- 2<sup>nd</sup> Offense: A Parent must come and get the phone/device/headphones at the end of the day.
- 3<sup>rd</sup> Offense: Students will be assigned in school or out of school suspension.

HEADPHONES AND EAR BUDS: For safety reasons, only one ear may be covered by earbuds or headphones in the hallway during passing periods. Students must be able to hear instructions and/or directives at all times. Students who violate this rule may have their earbuds or headphones confiscated.

No portable speakers will be allowed to be used in common areas. Portable speaker use in the classroom will be managed by the teacher.

**COPYRIGHTED MATERIAL & INTELLECTUAL PROPERTY:** 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.

**CHEATING/PLAGIARISM POLICY:** Cheating is defined as "using any form of improper aids in completing a teacher's assigned school work and/or tests."

These improper aides are defined as, but not limited to:

1. Copying papers or homework assignments that belong to another student and turning them in as student's own work, or giving or loaning assigned work to another student for the purpose of unauthorized copying.
2. Giving or receiving verbal or written aids during a test, or disclosing or receiving information as to the content of a test to any other student who has not yet taken the test.
3. Asking other individuals to complete your work for credit in a class.
4. Using your phone to store answers, text or receive texts during a test/quiz.
5. Not correcting another student's or your own paper properly as to make it look like you/other student got fewer wrong than you really should have.
6. Making notes on the desk, using a cheat sheet with full or partial information relative to the test. Using course material such as a textbook or workbook, homework, or class work.
7. Using internet websites to provide answers for assignments or tests.

*Plagiarism* is an act or instance of using or closely imitating the language and thoughts of another author without authorization and the representation of that author's work as one's own, as by not crediting the original author.



**Plagiarism** includes, but is not limited to:

1. Taking someone else's assignment or portion of an assignment and submitting it as one's own.
2. Submitting material written by someone else or rephrasing the ideas of another without giving the author's name or source.
3. Presenting the work of tutors, parents, siblings, or friends as one's own.
4. Submitting purchased papers as one's own.
5. Submitting papers from the Internet written by someone else as one's own.
6. Supporting plagiarism by providing work to others, whether it is believed it will be copied or not.

Consequences for cheating/plagiarizing are:

1<sup>st</sup> Offense: Receive an "F" for the assignment with possible detention or suspension and placed on a cheating contract.

2<sup>nd</sup> Offense: Drop from the class and receive an "F" for the class.

*\*Subsequent offense will result in loss of credit for the class.\**

Cheating offenses will last for one school year. Each year students will begin at zero offenses.

**CITATION FOR DISORDERLY CONDUCT:** Building principals may cite students for disorderly conduct under *North Dakota Century Code 12.1-31-01*.

An individual is guilty of a Class B misdemeanor if, with intent to harass, annoy, or alarm another person or in reckless disregard of the fact that another person is harassed, annoyed, or alarmed by the individual's behavior, the individual:

- Engages in fighting, or in violent, tumultuous, or threatening behavior
- Makes unreasonable noise
- In a public place, uses abusive or obscene language, or makes obscene gestures.
- Obstructs, vehicular or pedestrian traffic, or the use of a public facility
- Persistently follows a person in or about a public place or places
- Creates a hazardous, physically offensive, or seriously alarming condition by any act that serves no legitimate purpose.
- Engages in harassing conduct by means of intrusive or unwanted acts, words, or gestures that are intended to adversely affect the safety, security or privacy of another person.

**CITATION FOR WILLFUL DISTURBANCE:** Building principals may cite students for willful disturbance of schools under *North Dakota Century Code 15-49-08*.

Any person whether pupil or not, who willfully molests or disturbs a public school when in session or who willfully interferes with or interrupts the proper order or management of a public school, by act of violence, boisterous conduct, or threatening language, so as to prevent the teacher or any pupil from performing his duty, or who, in the presence of the school children, upbraids, insults, or threatens the teacher, shall be guilty of a Class B misdemeanor which makes them subject to potential fine up to \$1,000 or 30 days in jail.

**FIRE ALARMS:** Fire alarms and fire extinguishers are provided as safety devices for those people in the building. Falsely setting off fire alarms and discharging fire extinguishers is against the law. The proper authorities will be notified if a student is reported to be involved in either activity.

**GANGS AND GANG RELATED ACTIVITIES:** District schools have a responsibility to maintain a school environment free of violence, intimidation, or other behaviors which threaten the safety and well-being of students and staff. Anti-social and/or criminal activities of gangs or gang-like groups threaten the school environment and interfere with the educational process. Anti-social and/or gang activities will not be tolerated and the District hereby bars all gangs, gang affiliations and gang related activities from school buildings, school related activities and school property at all times.

A "*gang*" is defined as any identifiable group or club which exists without the sponsorship or authorization of the school and which engages in anti-social or criminal behavior or activity which is disruptive of the school environment.

Activities of gangs/associations/organizations including recruitment, initiations, hazing, intimidation, retaliation and/or related activities which could potentially cause bodily danger, physical harm, or personal degradation or disgrace and result in physical or mental harm to students are prohibited as are all forms of criminal activity. The use of language, hand signals, graffiti, tattoos, haircuts, or the presence of any wearing apparel, bandanas, footwear, jewelry, accessory, or manner of grooming which, by virtue of color, arrangement, trademark, symbol or any other attribute indicates or implies membership or affiliation with such a group is hereby prohibited.

School administrators will monitor the school environment and parents will be informed of suspected gang involvement and/or activities. If an administrator verifies a student's involvement in gang activity, the parent or guardian will be informed and appropriate law enforcement and social service agencies will be notified, Administrators shall comply with confidentiality laws when releasing student record information. Cooperation with law enforcement agencies is authorized and encouraged.

*\*Students violating this policy may be subject to appropriate disciplinary action, including suspension and/or recommendation for expulsion.\**

## **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 School 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.

**INSUBORDINATION, DISRESPECT, AND FIGHTING:** Insubordination means disobeying teachers or staff members; not following instructions in regard to conduct; or in any way by actions or words, showing

a defiant attitude. Disrespect is being offensive and rude in behavior or language. Fighting will not be tolerated. Detention, suspension or expulsion may be the consequences of such behavior.

**NORTH DAKOTA’S COMPREHENSIVE MODEL SCHOOL POLICY FOR TOBACCO USE:** For the 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.

**DRUG, ALCOHOL, AND TOBACCO USE:** All students are subject to Article XIV, Section XII of the NDHSAA concerning drugs, tobacco and alcohol. “The use or possession of tobacco, alcohol, paraphernalia, or any controlled substance as defined by North Dakota law is prohibited. Any extracurricular participant who is in violation of the foregoing shall be suspended from participation in interscholastic contests or activities for a minimum period of six consecutive weeks for the first offense and a period of eighteen consecutive school weeks for any subsequent offense.” Any student found in possession of drugs, tobacco or alcohol will be turned over to the police department.

**USE AND 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.

**RESPONSIBILITY FOR VIOLATIONS:** All individuals on the district’s premises share in the responsibility for adhering to and enforcing 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.

**PUBLIC, PHYSICAL DISPLAYS OF AFFECTION:** Physical displays of affection are inappropriate and subject to the student code of conduct. Students who violate this policy will be subject to disciplinary action including detention, suspension or expulsion.

**STUDENT DRESS CODE:** The School 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, alcohol, or other drugs.

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 have appropriate appearance at all times, including at school sponsored events. Inappropriate appearance includes, but is not limited to, the following:

- Excessively torn or tattered clothing.
- Clothing which is in poor taste, too revealing, clothing containing obscene words or pictures.
- Skirt & shorts length must be to the fingertips, or below, when hands are down to your side.
- Clothing that promotes alcohol, tobacco, bars, drugs, or firearms.
- Hooters, Playboy bunny or similar items of a sexual nature.
- Spaghetti straps, tank tops with straps that are less than three finger widths, undershirts, shirts that expose the midriff or décolletage.
- Colored hair or body piercing that draws attention from the learning process.
- Chains hanging from clothing
- No sheer or gauze fabrics
- Sleeveless work out shirts
- Dressing in any manner to draw offense from others, and/or detract from the educational process.

*\*Violation of the dress code will result in the student sent to the administrative office and problem is corrected.\**

**SUSPENSION AND EXPULSION:** For the purposes of this policy:

- *School property* is defined 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 activity.
- *Suspension* includes in-school suspension from classes as well as out-of-school exclusion from school classes, buildings, grounds, and activities.

**SUSPENSION/EXPULSION AUTHORITY:** The School Board hereby delegates to the Superintendent and each principal the authority to deal with disciplinary problems in his/her school, including suspension and

recommendation for expulsion of a student. Suspension shall not be imposed beyond the maximum duration permitted by law.

The School 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 grounds, during a school-sponsored activity, during a school-related activity, or directed toward a school employee or school employee's property 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 person except in self-defense;
4. Possessing or transmitting any firearms, knives, explosives, or other dangerous objects or weapons;
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 insightful to violence, where it is disruptive of the educational process;
10. Threats of violence, bomb threats, or threats of injury to individuals or property;
11. Any student behavior that is detrimental or disruptive to the educational process, as determined by the principal.

Copies of these rules shall be posted in a prominent place in each school and shall 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 reinstatement to classroom and campus privileges pending any assessment and evaluation that is to be made during the term of the student's suspension.

**SUSPENSIONS:** Williston High School operates under two types of suspensions:

1. An in-school suspension (Choices Room) will require the student to be in school during class, doing schoolwork, but not attending regular classes. Students may attend work-related restitution in lieu of suspension as in Community Service.
2. An out-of-school suspension will be given if the violation is deemed severe by the administrator.

**NOTE: Out of school suspension means that the student is not to be on school property, or at any school activities, during the suspension.**

**VANDALISM:** 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 AND REPERCUSSIONS:** The School 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.

**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 properly 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, threats, 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.

### **WEAPONS/CARRYING WEAPONS**

- *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. Recent/severe prior acts of the student that have resulted 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.

**NON-APPLICABLE 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.

## **EMERGENCY PROCEDURES**

*\*Procedures for emergencies are posted in all classrooms\**

**FIRE:** City and school district regulations require that a fire drill be held periodically during the school year. When the alarm sounds all pupils, teachers, staff and guests MUST leave the building by the nearest exit.

**BOMB THREAT:** In the event of a bomb threat, students will vacate the school building. No one will be permitted to return to the building. Any time missed for a bomb threat will be made up on scheduled vacation days or at the end of the year or as directed by the administration. Any student or students who participate in a bomb threat will be subject to suspension or expulsion. *To turn in a false alarm is a criminal offense and will be reported to the police department.*

**TORNADO:** When an announcement is made that a tornado is in the vicinity, teachers, staff, and students should move to assigned locations on the lower floor, away from glass.

**INCLEMENT WEATHER:** At times we may encounter bad weather, extreme cold or blizzard conditions. As soon as possible, notification of cancellation or late start of classes will be broadcast over the local news media, KUMV-TV, KXMD-TV, KEYZ, and KDSR.

**DRILLS FOR FIRES/TORNADOS AND EMERGENCY CODES:** Schools are required to have regular drills for the safety of all our students and staff. At the beginning of each school year, students will be directed on the proper behavior during the drills. During safety drills the principal, office staff, and/or the teachers will direct students. Signs are printed in each room with drill information. Safety is a #1 priority at our school, thus these drills are important simulations.

Updated codes for the 2019-2020 school year will be posted in all classrooms and students will be educated in these codes.

## **GENERAL SCHOOL INFORMATION**

**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 AND INJURIES:** In the event a child is injured in school, first aid will be administered by school personnel.

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.

**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. 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.

The school website will have school menus posted to assist parents in selecting safe food for their child to eat.

**ANNOUNCEMENTS:** Announcements will be communicated daily over the TV network/intercom and posted in various parts of the building. All student announcements must be signed and approved by an administrator. Emergency or special announcements will be made over the public address system with an administrator's approval. All announcements need to be in the office by 8:00 a.m.

**ASBESTOS:** Records of all environmental and EPA regulated projects (radon, lead in the water, asbestos) are kept on file in the District Office. 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.

**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.

**COMMONS AREA PROTOCOLS:**

- The Commons is available to all students who have an off hour for study purposes.
- Loitering in the Commons is not allowed.

**COMMUNICATION WITH THE SCHOOL:** In order to meet the needs of our students as fully as possible, it is essential that the home and the school make every effort to communicate openly and frequently. At the school, we shall endeavor to meet this need through our reporting procedures and formal parent-teacher communication. It is of equal importance that parents keep teachers informed of any developments which might influence the student's performance at school. If, as parents, you are uncertain of anything, please do not hesitate to contact us by telephone.

Parents are often reluctant to call the school with information or questions. Please, be assured that we welcome your involvement and that, frequently, the information shared enables us to better meet the needs of the student.

**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 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 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 OF RETALIATION:** The District will not tolerate any form of reprisal, retaliation, or discrimination against an employee, district contractor, and 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.

**DISTRIBUTION & POSTING OF NON-CURRICULAR MATERIAL IN SCHOOL:** The Board allows distribution and posting of non-curricular material and collection of signatures on petitions, which receive the prior approval of the Superintendent or Designee. Approval shall be based upon the time, place, and manner restrictions delineated in regulations.

Groups or individuals that attempt to compel or coerce a student, employee, or other individual on school property into accepting non-curricular materials shall lose all material distribution privileges. A school employee or student who interferes with the distribution of approved material shall be subject to disciplinary measures.

**NON-APPLICABLE POSITIONS:** This policy does not apply to the pre-approved sale of goods on school property. The Superintendent shall develop separate criteria governing this matter, which shall, at least, limit direct sales to those having a school-related purpose, which is consistent with the district's mission statement.

This policy does not apply to district acceptance of paid advertising and third-party sponsorships. The Superintendent shall develop separate criteria governing this matter, which shall, at least, require advertisers and sponsors to have a purpose and/or mission consistent with the district's mission.

**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 is 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.

**DISPUTE/RESOLUTION:** Any individual who believes that the Williston Public School District #1 has violated the regulations or law governing a Title program should submit a complaint to the building principal at PO Box 1407, Williston; 572-1580. The principal shall investigate the complaint and provide the individual with a written response within 30 days.

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.

If the complaint is not resolved to the satisfaction of the complainant at the district level, the complainant may forward the complaint to:

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:

Secretary of Education  
U.S. Department of Education  
555 New Jersey Avenue  
NW, Washington, DC 20208.

**DISPLAYS OF RELIGIOUS OBJECTS OR DOCUMENTS:** 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.

**EDUCATION OF PREGNANT AND PARENTING STUDENTS:** Pregnant and parenting students shall be entitled to all protections contained in the district's nondiscrimination and anti-harassment policy and should report any violations of these protections using the district's discrimination and harassment grievance procedure. These students shall be allowed to participate in all school programs and activities on the same basis as any other student enrolled in Williston Public Schools.

ATTENDANCE STANDARDS FOR PREGNANCY AND POST-PREGNANCY CONDITIONS: Absences due to pregnancy and post-pregnancy related conditions shall be excused and approved so long as the student and/or her parent/guardian complies with any district documentation requirements associated with the absence as stated in the attendance policy. Documentation requirements for pregnancy and post-pregnancy related absences shall be no more stringent than documentation requirements the District has instituted for student absences due to illness.

Students shall not be disciplined or their status as a student otherwise demoted due to absences resulting from pregnancy or a post-pregnancy condition. Furthermore, students absent due pregnancy/a post-pregnancy condition shall not be barred from participating in district programs and activities except when absences result in ineligibility to participate in activities covered under North Dakota High School Activities Association bylaws.

Students will be given a reasonable time to make up missed work or participate in a credit recovery program. Failure by the student to complete any make up work requirements or credit recovery program(s) may result in a demotion in grades, retention, extracurricular ineligibility, or other appropriate recourse as determined by district administration in accordance with applicable district policy.



ACCOMODATIONS FOR PREGNANT STUDENTS: The District shall provide reasonable accommodations to pregnant students and students recovering from pregnancy upon request by the student, her parent/guardian, or her medical provider.

ALTERNATIVE CURRICULAR PARTICIPATION: The District shall encourage pregnant and parenting students to remain enrolled in the regular school program; however, the District will provide educational options to those students who are unable or who elect not to remain in their regular schools. Those options may include homebound tutoring, an alternative day school program, and/or attendance at adult evening classes. Pregnant and parenting students electing one of these options shall be permitted reenter the regular education program upon request. If a request to re-enroll is made near the end a semester, the District may elect to re-enroll the student in the regular education program at the beginning of the subsequent semester.

MEDICAL DOCUMENTATION REQUESTS AND PARTICIPATION IN PHYSICAL ACTIVITIES: Pregnant students involved in programs involving physical activity will be required to provide medical documentation certifying fitness for participation only on the same basis as the District requires such documentation from other students. Any medical documentation required for a pregnant student to participate in physical activities shall be no more stringent than when medical documentation is required to be provided by any other student as a condition of participation in physical activities.

DISCLOSURE: If a student discloses her pregnancy status to a district employee, the employee will refer the student to a school counselor. The school counselor shall encourage the student to inform her parent(s)/guardian of the pregnancy if such advice is in the best safety interest of the 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 building principal shall require the requestor to submit/show a form of state or federally-issued identification to verify the identity of the requestor if the requestor is unknown to the principal.
5. The principal or designee shall be present when the parent/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.

**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:

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 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)(1) - (a)(1)(i)(B)(2) are met. (§99.31(a)(1))
2. To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31(a)(2))
3. To authorize 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))

**DIRECTORY INFORMATION INCLUDES THE FOLLOWING:** Parents' name and address, Student's name, address, gender, grade level, academic awards/honors, participation in school sponsored activities and period attendance in school. WHS does not release such information to the general public in any form other than officially approved school publications such as yearbooks. Parents who request that directory information not be included in school publications should notify the school on an annual basis before the beginning of the school year.

**ELEVATOR USE:** The school's elevator may be used by students only with an elevator pass. Elevator passes may be obtained from the attendance office. Improper use of the elevator may result in disciplinary action.

**FEES:** The School 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 School Board has adopted the following specific policy with relation to student fees:

Fees for driver's education and courses that generate products that become the personal property of the student must be paid prior to the start of the course.

The District will vigorously 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.

A copy of all class fees will be mailed to parents August for fall semester and in December for 2nd semester. During the school year students may accrue fees for added classes, athletics, and lost/damaged materials. Fee payments are due as follows:

- First Semester Fee: Due on the first day of school
- Athletic Fees: Due before a student can compete
- Second Semester Fee: Due on the first day of the second semester
- Lost/Damaged Books & Materials: Due when reported to the office

*\* Students will **not** be allowed to take any final tests or walk across the stage for graduation until **all** fees are paid.*

**NO refunds will be given for classes dropped after two weeks.**

**FIELD & 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.

**HARRASSMENT:** We want all individuals to know they can learn and work in an environment free from insulting, degrading, or exploitive treatment. Administrators and supervisors will make it clear to staff and students that harassment is prohibited by board policy and is grounds for disciplinary action.

**EMPLOYEE/STUDENT, STUDENT/STUDENT DISCRIMINATION/HARASSMENT:** All school employees are considered responsible employees for purposes of reporting employee-student and student-student discrimination/harassment and shall follow the necessary reporting steps.

**HIGH SCHOOL LIBRARY:** The Williston High School Library is centrally located on the first floor and is open from 8:00 am until 4:00 pm each day. All students must have an ID number issued by the library in order to check out materials. Study hall students must obtain a pass from the library, prior to the class period, before they will be allowed to come to the library during their study hall.

**HOMECOMING AND SCHOOL DANCES:** Williston High School policies will govern all dances held by WHS. The administration has the right to refuse admittance to any student or guest. Dances are for high school students only (exception made for prom as noted below). A WHS student may bring one non-WHS high school guest. Non-WHS high school guests must present either a school ID or photo ID prior to admittance. Entrance doors will be locked one hour after the start of the dance. Once a student enters the dance, that student will not be re-admitted if he/she leaves at any time. Students are expected to dance in a manner that is appropriate for a school function.

**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 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:** Williston Public School District #1 does not have any 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.

**JUNIOR-SENIOR PROM:** Prom is a formal event at WHS for couples who have reached their junior/senior year. Guests of a WHS student must have graduated from high school or earned their GED. In addition to this, guests of a WHS student must be under 21 years of age and have no alcohol or drug violations. Students bringing a date from outside WHS must complete a form and have the prom date approved by the principal. Students also must not have had any Code of Conduct violations for 6 weeks prior to Prom in order to attend this event.

All students will be asked for a driver's license or some form of picture identification upon entering the Prom. All couples must wear acceptable clothing to participate in the Grand March and the following dance. Any questions concerning attendance at the prom are to be directed to the principal.

All couples will submit to a breathalyzer screening. Refusal will result in non-participation of Grand March and dance.

**LAW ENFORCEMENT AGENCIES:** Law enforcement officials may be summoned to conduct an investigation of alleged criminal conduct when necessary to prevent injury to persons or property. The drug dog will be periodically brought onto the school premises to check lockers, etc.

**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.

**LOCKERS:** Each student may request an individual locker. Lockers are the property of the school district and no locker fee will be charged for their use. Once a locker is assigned to a student, they are responsible for that locker and any damage to that locker. As property of the school, lockers may be inspected by school officials and law enforcement officials with or without a student's permission. Please use good judgment in what you place in your locker. The cost of repairing any damage to a locker will be charged to the student. Locker combinations are changed every year; students are not to share that information with anyone.

***WHS is not responsible for any items taken from lockers. DO NOT leave money, valuables or calculators in your locker at any time. Do not share your locker combination.***

***Remove all garbage and any wanted items from Lockers by the end of the last day of School. Any items not removed from lockers by the last day of school will be removed and discarded.***

**LOST AND FOUND:** Lost and found items should be turned in at the main office. Articles may be claimed before and after school and during the lunch hour by properly describing or identifying them.

**LUNCH:** The lunch program is open to all students. Meals cost \$3.00 per day for lunch and \$2.00 per day for breakfast. Extra entrees are \$1.50 and extra milk is \$.50.

The lunchroom and commons area will be available for students who choose to eat lunch on campus.

Free and reduced price meal applications are available at the 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 Johnson, Food Service Director at 701-713-7485.

High School students will be reminded at the cashier station when each student reaches a balance at or below \$8.00. Student lunch balances can be viewed in the parent's account in PowerSchool or may also be viewed in [myschoolbucks.com](http://myschoolbucks.com) by setting up an account. Parents may deposit money in student accounts anytime online through [www.myschoolbucks.com](http://www.myschoolbucks.com). Instructions are available on [www.willistonschools.org](http://www.willistonschools.org).

Each student with a negative lunch balance will be allowed to charge up to 5 (\$13.75) reimbursable meals, after which charging will not be allowed. **If a student brings money for a meal on a given day, the student will be allowed to eat that day with no regards to the negative balance.** Any student with any negative balance will not be allowed to charge a la carte items, extra milk, juice, or bottled water. 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.

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.

**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.

**MESSAGES AND PHONE CALLS:** Because we have over 1000 students at WHS, we ask that phone messages be limited to essential information and only from immediate family members. Students will not be given messages for hair appointments, work assignments or such. If in question, messages will be given at the discretion of the principals.

**NEW STUDENT ADMITTANCE:** Students who have missed five weeks of school will not be allowed to start in that same semester at Williston High School. Those students will be enrolled at Williston High School in the following semester.



**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.

## **NON-DISCRIMINATION: 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.
- *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 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.

Williston Public School District #1 does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following person has been designated to handle inquiries regarding the non-discrimination policies:

Human Resources Director  
Title IX Coordinator  
701-572-1580

**PARENT ADVISORY COUNCIL (PAC):** PAC is an advisory body to the Superintendent. 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: [www.willistonschools.org](http://www.willistonschools.org).

**PARENT-TEACHER CONFERENCES:** Conferences will be conducted twice during the school year. Informal parent-teacher conferences can also be conducted on an as needed basis as requested by the parent or teacher.

**Protection of Pupil Rights Amendment (PPRA):** PPRA affords parents certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

1. Consent before students are required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED):
  - a. Political affiliations or beliefs of the student or student’s parent;
  - b. Mental or psychological problems of the student or student’s family;
  - c. Sex behavior or attitudes;
  - d. Illegal, anti-social, self-incriminating, or demeaning behavior;
  - e. Critical appraisals of others with whom respondents have close family relationships;
  - f. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
  - g. Religious practices, affiliations, or beliefs of the student or parents; or
  - h. Income, other than as required by law to determine program eligibility.
2. Receive notice and an opportunity to opt a student out of:
  - a. Any other protected information survey, regardless of funding;
  - b. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
  - c. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.
3. Inspect, upon request and before administration or use:
  - a. Protected information surveys of students;
  - b. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
  - c. Instructional material used as part of the educational curriculum.

These rights transfer from parents to a student who is 18 years old or an emancipated minor under State law.

Williston Public Schools has developed and adopted policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information

surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes.

Williston Public Schools will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. Williston Public Schools will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. Williston Public Schools will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys.

Following is a list of the specific activities and surveys covered under this requirement:

- a. Collection, disclosure, or use of personal information for marketing, sales or other distribution.
- b. Administration of any protected information survey not funded in whole or in part by ED.
- c. Any non-emergency, invasive physical examination or screening as described above.

Parents who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-8520

**PARKING:** Cars parked in the school parking lot are to be parked properly between the yellow lines. Any cars improperly parked maybe ticketed or towed. The cost for ticketing will be \$15.00. Habitual illegal parking will result in being denied access to parking in Williston High School lots.

**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.

**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.

**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 restrain 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 results, 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.

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

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

**SCHOOL PROPERTY:** When damage to property occurs, all possible means will be made to identify the students responsible and to deal with them accordingly. They will be responsible for paying for the damage. If textbooks given to the students by the school are damaged or lost the students must replace them or cover their cost.

**SEARCHES OF LOCKERS:** 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 AND 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.

**SEARCHES OF STUDENTS AND 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' 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:** 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 SEXUAL 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 SEXUAL 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.

**SPECIAL EDUCATION PROGRAMS AND SERVICES:** Williston High School provides comprehensive programs and services for handicapped students with the following exceptional characteristics:

- Auditory, visual, physical, or health impairments.
- Speech and/or language impairments
- Deficits in the essential learning or perception, conceptualization, memory attention, and/or motor control.
- Deficits in intellectual development and mental capacity.
- Affective disorders and/or adaptive behavior which restrict effective functioning.

**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:

- a. Insults, disparaging remarks/names, and/or sarcasm, used to force compliance with an employees or volunteer's requirements or expectations.
- b. Any conduct that would amount to sexual harassment, discrimination, or retaliation under Title IX of federal education amendments.
- c. Any activity that may lead to a sexual relationship such as dating, sending intimate correspondence, and/or engaging in sexualized dialogue.
- d. 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.
- e. 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 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.

**SCHOOL RESOURCE OFFICERS (SRO):** 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.

**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:

1. 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.
2. 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.
3. The student's parent, guardian, or attorney is present for the interrogation. This requirement does not apply to students of legal age.
4. 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.

**WHEN THE 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:

1. 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 interview, and confirms the reason and purpose of the interview.
2. 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.
3. 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.
4. 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.

**a. 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

**b. 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.

**STUDENTS OF LEGAL AGE:** Students of legal age shall be required to abide by all district policies pertaining to students. Students of legal age are permitted to inspect their personal educational record and may represent themselves at an expulsion hearing without parental involvement if they sign a waiver to this effect.

The building principal may also grant students of legal age the authority to report their absences and sign authorization forms. Students of legal age must request this permission in writing.

If a student of legal age is claimed as a dependent by his/her parent for tax purposes, the parent is entitled to access the student's educational record under FERPA. The district will assume that all students of legal age are claimed as dependents unless a student produces documentation demonstrating otherwise.

**STUDENT ORGANIZATIONS:** School-sponsored student organizations function to enhance the participants' educational experience and supplement the course materials within the educational program of the schools. The activities of these organizations should bear a clear relationship to the regular curriculum. The Superintendent shall develop further criteria and a procedure for approving school-sponsored student organizations.

Membership in school-sponsored student organizations shall be voluntary and shall be open to and limited to all students currently enrolled in the school. Membership shall be granted in a nondiscriminatory manner, consistent with the district's nondiscrimination policy; however, organizations may establish qualifications based on gender only where necessary to preserve the health, safety, or

welfare of students, or where gender is a bona fide and integral qualification for the activities of the organization. These organizations may also establish academic qualifications for membership where necessarily related to the purposes of the organization.

**NON-CURRICULAR STUDENT LED GROUPS:** Students are not permitted to organize and conduct non-curriculum-related meetings on school property.

**FACULTY SUPERVISION:** School-sponsored student organizations shall be sponsored and supervised by one or more members of the school faculty, approved by the principal. Faculty sponsors shall participate in the supervision and direction of all activities of the organization and shall attend all meetings.

**COMPLIANCE WITH LAW AND POLICY:** Student organizations shall not engage in any activity that is contrary to law, district policy or school rules; which disrupts or clearly threatens to disrupt the orderly operation of the school; or which would adversely affect the health, safety, or welfare of any students or staff members.

School-sponsored student organizations shall comply with the purchasing policy of the District and may not extend the credit of the District. Failure to comply with these provisions shall be grounds for revocation of recognition.

**MEETINGS:**

All meetings held on school grounds by student groups shall be held in accordance with the district's facility use regulations developed by the Superintendent. Non-school sponsored groups meeting on school grounds shall also comply with the district's non-curricular use of school facilities policy.

**STUDENT PUBLICATIONS:** School-sponsored media as defined by NDCC Ch. 15.1-06 shall be supervised by a student media advisor but shall not be reviewed by an administrator unless the publication is believed to contain restricted content as listed below.

The following material is prohibited from being published in school-sponsored media:

1. Material that is profane or pornographic.
2. Material that is slanderous or libelous in nature.
3. Material that infringes or may infringe on the privacy rights of others.
4. Material that violates federal or state law, promotes violence, terrorism, or other illegal activities, including, but not limited to, material that promotes tobacco and/or drug and alcohol use by minors.
5. Material that is reasonably forecast to materially and substantially disrupt the educational environment.
6. Material that violates or incites the violation of policy including, but not limited to, the district's policies on bullying and harassment.
7. Material that poses a direct safety threat to the District, its students, and/or staff.

A decision to prohibit publication and distribution of a student publication with restricted content shall be made by the building principal and may be appealed to the Superintendent. The Superintendent shall investigate and issue a decision in a timely manner. The superintendent's decision is binding.

**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).

**DISPOSAL:** Student permanent records will be retained as long as Williston High School exists. The student file will be retained until the usefulness of the record to the student and the school is complete, but in no case longer than five years after the student has transferred, graduated, or otherwise permanently withdrawn from the school. Parents may ask for these records before disposal takes place.

*Special Education* student files will be disposed of five years after graduation or permanent withdrawal. Parents may ask for information which may be of continued assistance to the student or a student may ask for the records if he succeeded to the rights of the parent prior to the disposal of the records.

As a parent's right, a representative (any individual whom the parent wants to include, e.g. neighbor, friend, etc.) has full right of participation in educational planning meetings to which he is invited, by the parents of handicapped students, including, but not limited to, Individualized Educational Plan (IEP) conferences and multidisciplinary staffing conferences.

**STUDENT VEHICLES ON SCHOOL PROPERTY:** Use of school roads and parking lots is a privilege extended to students by the Board. Each building principal shall establish rules related to the forms of student transportation permitted on school property, the parameters of their use, consequences for misuse, and traffic safety. At a minimum, students shall be expected to observe all driving, safety, and noise control ordinances and/or laws.

The District will coordinate with the local police department in order to help ensure traffic safety coverage on and around school property.

**SEARCHES OF VEHICLES:** When student vehicles are parked on school property, the school retains the authority to inspect the interior of a vehicle when a school official has reasonable suspicion that the vehicle contains illegal or unauthorized materials. Such inspections shall be conducted in accordance with the district's policy on searches of students' personal property.

**PROHIBITION ON USE FOR ERRANDS:** Students shall not be sent on school errands with cars.

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

**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.

**WELLNESS POLICY:**

**NUTRITION EDUCATION AND PROMOTION:** The District should strive to promote the following nutrition goals (consistent with the *Dietary Guidelines for Americans*) in grades K-12 through the curriculum and through other promotional methods:

1. Provide a health education curriculum that is aligned with state standards and requirements; is taught by well-prepared and well-supported staff; that is age appropriate; and that is aimed at influencing students' knowledge, attitudes, and eating habits.
2. Provide an overall school environment that encourages students to make healthy food choices, specifically encouraging:
  - a. Balancing calories with physical activity to manage weight;
  - b. Consumption of healthier foods and nutrients such as fruits, vegetables, whole grains, fat-free and low-fat dairy products, and seafood;
  - c. Consumption of fewer foods with sodium (salt), saturated fats, trans fats, cholesterol, added sugars, and refined grains.
3. Identify and implement methods to educate family members about district nutrition standards and goals and involve them in program development and implementation.

The wellness policy committee may develop a list of activities that will help the District achieve the above goals and provide this list to administrators to assist with implementation of this policy.

**PHYSICAL EDUCATION:** In addition to state standards and mandates related to physical education, the District should strive, to the extent practical, to offer opportunities for students to be physically active

through activities that may include, but not be limited to, recess and extracurricular offerings. The goals of physical activity programs shall be: to develop students' knowledge and skills necessary to perform a variety of physical activities; assess, maintain, and improve personal fitness; regularly participate in physical activity; understand the short- and long-term benefits of physical activity; and value and enjoy physical activity as an ongoing part of a healthy lifestyle.

Administration will ensure that policies and practices are in place that enable students with disabilities and other special health care needs to participate as fully as possible and safely in physical education and other school physical activity programs. Teachers and other school personnel will not use physical activity (e.g., running laps, pushups) as punishment. Withholding opportunities for physical activity (recess) as punishment will be limited.

**GOALS FOR OTHER SCHOOL-BASED ACTIVITIES:** The District will seek to promote the physical activity and nutrition goals of this policy through other activities that are practical, implementable, and within district budgetary and statutory parameters. The goals of these other activities shall be to reinforce the nutrition promotion, nutrition education, and/or physical activity goals stipulated above. Activities implemented under this policy provision may be offered to students, parents, and/or district staff.

The wellness policy committee may develop a list of activities that will help the District achieve the above goals and provide this list to administrators to assist with implementation of this policy.

**NUTRITION STANDARDS:** For all meals provided with funds from the National School Breakfast and Lunch program, the District shall comply with applicable federal nutrition standards established in federal regulations. The District shall comply with applicable federal standards for competitive food sales on campus during the school day as defined by federal law. All foods provided or sold by the District should be selected judiciously, taking into consideration the nutritional value of the food being served, the goals of this policy, and the frequency of use.

**EXCEPTION TO COMPETITIVE FOOD SALES:** Each school year, each school building is authorized to hold up to three on-campus fundraisers during school hours that do not comply with competitive food sales nutrition standards. Each building principal shall develop rules for requesting and receiving approval to hold fundraisers under this exception, which shall, at a minimum, prohibit such fundraisers from occurring during school meal times.

Competitive food sale requirements do not apply to off-campus food sales and do not apply to foods sold on campus at least 30-minutes after the school day.

**QUALIFICATIONS AND TRAINING:** The District shall comply with any applicable hiring requirements under federal regulations for new hires in the food service program and shall comply with annually training requirements under federal regulations for all food service personnel (see ABCC-E).

**POLICY DEVELOPMENT, IMPLEMENTATION, REVIEW, AND DISSEMINATION:** The District encourages parents, students, representatives of the school food authority, teachers of physical education, school health professionals, the School Board, school administrators, and the general public to participate in the development, implementation, and periodic review and update of the local school wellness policy. The District shall determine the best methods for the above groups to participate in these processes and shall relay information about the participation processes to the above groups using the

method deemed most appropriate, effective, and cost efficient by the wellness policy committee. The Board or designee shall appoint a wellness policy committee in accordance with applicable district policy on committee appointments to develop the wellness policy and perform additional duties prescribed herein.

The Superintendent shall designate one individual per school building to monitor and enforce building-level compliance with the wellness policy. The names of these designees shall be listed in administrative regulations. Each designee shall be responsible for reporting on building-level compliance with this policy and supplying the wellness policy committee with any material requested to help the committee assess implementation of and compliance with this policy.

At least annually, the wellness policy committee shall meet to determine the extent to which each district school is in compliance with the local school wellness policy, the extent to which the local school wellness policy compares to model local school wellness policies (e.g., policies created by the state or federal government, if available, or by a state or federal organization that provides support services to schools), and the progress made in attaining the goals of the local school wellness policy. The wellness policy committee shall complete a report that contains the above components, which it shall provide to the Williston School Board and disseminate publicly on the district's website. Any recommended amendments to the wellness policy must be adopted by the Board in compliance with board policy on policy adoption.

#### **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, threats, 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 AND 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.<sup>1</sup> 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 agency<sup>2</sup>, 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.

1. FCA 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.

**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.