

School Board Policy Manual

**Nesson Public School District #2
Po Box 564
Ray ND 58849**

First Edition

Adopted: January, 1994

Revised: Spring 1999

Revised: Spring 2002

Revised: Spring 2008

Revised: Fall 2018

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1-1

PHILOSOPHY OF PUBLIC SCHOOLS

We, the **Nesson Public School District #2** School Board, present this statement of our basic beliefs concerning education in order to formulate district goals and objectives and to establish programs that are designed to meet these goals and objectives within the legal framework of state and federal law.

We Believe:

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

above. District schools will embrace the support and reflect the expectations of the community.

End of Nesson Public School District #2 Policy AAA

Adopted:

[03/08]

REQUIRED

Descriptor Code: AAB

1-2

DISTRICT GOALS & OBJECTIVES

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

In addition to meeting these approval and accreditation requirements/standards, the Board will establish and revisit a strategic plan at a minimum annually.

End of Nesson Public School District #2 Policy AAB

Adopted:

[07/11]

1-3

NONDISCRIMINATION & ANTI-HARASSMENT POLICY**General Prohibitions**

The **Nesson Public School District #2** 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 and/or employee's race, color, religion, sex, gender identity, national origin, ancestry, disability, age, or other status protected by law.

It shall be a violation of this policy for any district student or employee to harass or discriminate against another district student or employee based on any status protected by law. The District will not tolerate harassment or discrimination 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 person affiliated with a person 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 harassment or discrimination complaint and act on findings as appropriate, which may include disciplinary measures such as, but not limited to, 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.

Definitions

- *Complainant* is the individual filing the complaint. When the complainant is not the victim of the alleged harassment/discrimination, the victim will 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 a person 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 person would consider intimidating, hostile, or abusive
 - b. For students when the conduct is sufficiently severe, persistent, or pervasive to limit a student's ability to participate in or benefit from the education program or to create a hostile or abusive education environment.

- *Sexual harassment* is a form of harassment based on sex or gender identity. It is defined as unwelcome sexual advances, requests for sexual favors, and/or other verbal, written, or physical conduct or communication of a sexual nature when:
 - a. It is quid pro quo, meaning submission to such conduct or communication is made a term or condition, either explicitly or implicitly, of the basis for employment decisions or educational decisions or benefits for students (e.g., receiving a grade).
 - b. It creates a hostile environment meaning unwelcome sexual conduct or communication that is sufficiently serious to deny or limit a student's ability to participate in or benefit from the school's program(s). For employees a hostile environment is created when submission to unwelcome sexual conduct is made either explicitly or implicitly a term or condition of an individual's employment.

- *Sexual harassment examples* may include, but are not limited to:
 - 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 a person's sexual orientation
 - k. Sexual violence including, but not limited to, rape, sexual battery, sexual abuse, and sexual coercion

Complaint Filing Procedure

The Board shall create an informal and formal harassment and discrimination complaint filing procedure in board regulations. Nothing in this policy or in the harassment/discrimination grievance procedure shall prevent an individual from pursuing redress through state and/or federal law.

Confidentiality

An individual wishing to file an anonymous harassment and/or discrimination complaint shall be advised that confidentiality will limit the district's ability to fully respond to the complaint and that retaliation is prohibited. The **Title IX Coordinator or Superintendent** 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. A harassment or discrimination 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.

Responsible Employees

The Superintendent shall identify school employees responsible for receiving and reporting discrimination and harassment incidents and complaints. These individuals shall be listed in student handbooks and shall receive appropriate training on their reporting duties.

Policy Training and Dissemination

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

Nondiscrimination Coordinator

The Board designates **[Title]** as the Title IX and Nondiscrimination Coordinator. S/he can be contacted at: **[Address]**, **[Phone #]**. The Title IX/Nondiscrimination Coordinator and any other school official responsible for investigation of discrimination complaints shall receive appropriate training.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- AAC-BR, Discrimination & Harassment Grievance Procedure
- AAC-E, Filing a State or Federal Discrimination & Harassment Complaint
- AAC-E2, Discrimination/Harassment Complaint Confidentiality Assessment
- AAC-E3, Training Requirements for Responsible Employees
- FGDB, Student Handbooks

End of Nesson Public School District #2 Policy AAC

Adopted:

[07/14]

REQUIRED

Descriptor Code: AACA

1-4

SECTION 504 DISPUTE RESOLUTION POLICY

For purposes of identification, evaluation or educational placement of a child under Section 504, the District or designee (i.e., special education unit) shall provide a parent/guardian with notice, an opportunity to examine relevant records, an impartial hearing with an opportunity to participate and/or be represented by counsel, and a review procedure. Notification, record review, and hearing procedures are on file with **the WilMac Special Education Unit.**

Any other complaint concerning Section 504 may be filed using the district's discrimination and harassment grievance procedure (AAC-BR) or through state or federal law.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- AAC, Nondiscrimination & Anti-Harassment Policy
- AAC-R, Discrimination & Harassment Grievance Procedure
- AACA-E, School District's Duty Under Section 504
- FDE, Education of Special Education/Disabled Students

End of Nesson Public School District #2 Policy AACA

Adopted:

[05/10]

REQUIRED

Descriptor Code: ABBE

1-5

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 **Superintendent** 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; and
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.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- DEAC, Staff Dress Code
- FFH, Student Dress Code
- GBAA, Teaching about Religion
- GBAA-E, teaching about Religion Checklist

End of [Name of District] Policy ABBE

Adopted:

[11/09]

REQUIRED

Descriptor Code: ABCC

1-6

WELLNESS POLICY

Nutrition Education & 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 more healthy 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.

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 any applicable federal standards for competitive food sales on district property if and when these standards become available. In the interim and for all other food sold on District property, school administrators shall, to the extent practical, promote the goals of this policy when selecting food items available for sale in schools. All other foods provided by the District (e.g., as a part of a classroom celebration) or under the district's jurisdiction (e.g., a school fundraiser) 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.

Policy Development, Implementation, Review, & 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 **Superintendent or 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 or wellness policy committee** 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 [**specify period—annually recommended**], 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 **Nesson Public School District #2** School Board and disseminate publicly **on the district’s website or in the district newsletter**. Any recommended amendments to the wellness policy must be adopted by the Board in compliance with board policy on policy adoption.

The District shall disseminate the wellness policy and any wellness policy amendments to students, parents, and the public **through the following methods: publication in student handbooks and posting on the district website, list others.**

Complementing NDSBA Templates (may contain items not adopted by the Board)

- ABCC-AR, Building-Level Wellness Policy Coordinators
- BBBB, School Board Committees
- BDA, Procedure for Adopting Board Policy
- BDBC, Citizens’ Advisory Committees
- FGDB, Student Handbooks
- IB, Food Service Program
- IB-E2, DPI Requirements & Guidelines for Adult Meals
- IB-E3, Foods of Minimal Nutritional Value

End of Nesson Public School District #2 Policy ABCC

Adopted:

[09/12]

REQUIRED

Descriptor Code: ACBA

1-7

AUTOMATED EXTERNAL DEFIBRILLATORS (AED)

The Superintendent shall develop regulations to maintain, test, and implement the use of AEDs in the District in accordance with NDCC 32-03.1-02.3. The regulations shall include a requirement that in the event of a cardiac arrest emergency, a district responder shall contact an emergency medical service provider as soon as possible

The authorization of AED's in district schools shall not be deemed to create a guarantee or obligation to use the AED in the case of an emergency nor any expectation that an AED or trained employee will be present, able to use an AED in an emergency, or any expectation that the AED will operate properly.

Training

The Superintendent will determine the number of AED certified responders needed for each school and develop procedures for selecting and training staff on AED use and cardiopulmonary resuscitation. The frequency of recurrent training will be required in accordance with criteria established by the issuing organization of each employee's certification. Unless unavailable in the event of cardiac arrest, only personnel trained and qualified in accordance with law shall operate the AED unit.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- ACAB, Emergency & Disaster Plans & Drills

End of Nesson Public School District #2 Policy ACBA

Adopted:

[03/08]

REQUIRED

Descriptor Code: ACBB

1-8

SIGNIFICANT CONTAGIOUS DISEASES

The **Nesson Public School District #2** School Board adopts this policy with the intent of protecting the safety of all district students, staff, and independent contractors.

Definitions

For the purposes of this policy, the terms affected person, decisionmaker, independent contractor, institution, reasonable accommodations, significant

contagious disease, special provisions, and universal precautions will be defined in accordance with ND Administrative Code 33-06-05.1-02.

Universal Precautions

The District will use universal precautions as standard procedure in the care and maintenance of school property and in administering first aid or otherwise handling emergencies.

Nondiscrimination & Anti-Harassment

No person shall be denied admission as a student, a contract as an independent contractor, or employment solely because they have or they are perceived to have a significant contagious disease. The District prohibits harassment and/or discrimination against an individual diagnosed as having a significant contagious disease on district property, including, but not limited to, district buildings, vehicles, school events, and computer networks. Complaints alleging harassment/discrimination based on a significant contagious disease shall be handled in accordance with the district's Harassment and Discrimination Grievance Procedure.

Confidentiality

All information concerning an affected person's condition that is given to an employee or official of the District shall remain confidential. The Superintendent shall develop procedures to protect against confidentiality breaches.

No employee or official of the District may inform anyone of an affected individual's infection. No employee or official may release any information to the public either confirming or denying the presence within the institutional setting of a person who has contracted a significant contagious disease. An employee violating these prohibitions shall be subject to disciplinary consequences in accordance with policy, law, and, when applicable, the negotiated agreement.

Spokesperson

The Board designates **the principal** as the person to receive information concerning the status of students, employees, and independent contractors from their physicians. The spokesperson shall be the official representative of the institution when information concerning an affected individual becomes public and may not delegate this duty unless authorized by the Board. The spokesperson may request assistance from the Department of Public Instruction or State Department of Health in developing a plan for conflict resolution and shall comply with all applicable requirements in the district's policy on relations with the news media (KBA) when handling media requests related to significant contagious disease.

Reasonable Accommodations & Public Health Threats

Except as provided below, the personal physician of the affected individual shall be solely responsible for deciding whether the individual constitutes a public health threat and/or whether the individual has the ability to continue in school or perform his/her duties.

1. **Students:** When a student's personal physician or the multidisciplinary team (in the case of a student who is defined as having a disability under state or federal law) determines that the student is unable to participate in regular classroom instruction, the District will provide either reasonable accommodations, special provisions, or an individualized education program. The **Superintendent or principal** shall establish procedures for the development of special provisions.
2. **Employees & Contractors:** When an employee's, prospective employee's, or independent contractor's personal physician determines that the employee, prospective employee, or independent contractor is able to perform job duties and does not constitute a public health threat, the District will consider and implement reasonable accommodations to allow the affected individual to become/continue as an employee or become/continue as an independent contractor.

Education

1. **Students:** The District will implement an instructional program on significant contagious disease appropriate to each participating grade level, providing information about the diseases, methods of transmission, the means of protecting against contracting the diseases in an institutional setting, the use of universal precautions and prevention. Instruction will begin in Grade **K** and continue through Grade **12**.² **The curriculum will be integrated into the health curriculum.**

The **Superintendent or Principal** is charged with recommending revisions in the program to the Board to update and modify the curriculum as new information about significant contagious diseases is made available. The Department of Public Instruction and/or the State Department of Health will review and approve any curriculum and materials developed for use in this program according to the guidelines established by the Center for Disease Control.

Prior to the start of the significant contagious disease instructional program, and at any time thereafter, parents and guardians of students who will be involved in this program will have an opportunity to preview/review the curriculum and materials.

2. **Employees:** All district employees will receive appropriate training that addresses significant contagious disease prevention. The training will be presented by a health professional or someone specifically qualified in prevention of significant contagious diseases education. Training will include the proper use of universal precautions.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- AAC, Nondiscrimination & Anti-Harassment Policy
- AAC-BR, Discrimination & Harassment Grievance Procedure

² State law requires that all students be educated concerning significant contagious disease. Specify the grades that are included in your district's enrollment.

- AAC-E, Filing a State or Federal Discrimination & Harassment Complaint
- ACBB-E, Universal Precautions & Sanitary Clean Up
- ACBB-E2, Laws on Communicable Diseases, Immunization Requirements, Reportable Diseases, and Significant Contagious Disease
- ACBB-AR, Procedures for Responding to Potential Health Threats
- KBA, Relations with the News Media

End of Nesson Public School District #2 Policy ACBB

Adopted:

[02/15]

REQUIRED

Descriptor Code: ACDA

1-9

ACCEPTABLE USE

The **Nesson Public School District #2** believes Internet access plays an important role in the education of students; however, the Internet also contains content that is not appropriate for students and staff to access. In accordance with federal law, the District has taken reasonable precautions to restrict access to materials obscene, pornographic, and/or harmful to minors through the use of software designed to block sites containing inappropriate material. While the District has taken such preventive measures, it recognizes that it is not possible to fully guarantee that students and/or staff will never access objectionable materials.

Education

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

Monitoring Use

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

Prohibitions

The District subscribes to the acceptable use policies of EduTech. All district computer users shall abide by this policy. The Superintendent or

designee may take disciplinary measures when any of the following actions occur:

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

Violations

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

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

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

Consent

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

Complementing NDSBA Templates (may contain items not adopted by the Board)

- FFK, Suspension & Expulsion
- FFK-BR, Suspension & Expulsion Regulations

End of Nesson Public School District #2 Policy ACDA

Adopted:

[03/12]

REQUIRED

Descriptor Code: ACEA

1-10

BULLYING POLICY

Definitions

For the purposes of this policy:

- *Bullying* is defined as conduct prescribed in NDCC 15.1-19-17. The Superintendent should place this definition, in its entirety, in student and staff handbooks and should develop guidelines to assist students and staff with identifying this conduct.
- *Protected classes* are classifications/characteristics protected from discrimination by NDCC 14-02.4-01 and federal law. The following classes are protected: race, color, religion, sex, national origin, age, disability (physical or mental), and status with regard to marriage or public assistance.
- *School property* or the term *on-campus* refers to all property owned or leased by the District, school buses and other vehicles, or any school district sponsored or school-sanctioned activity.
- *School-sanctioned activity* is defined as an activity that:
 - a. Is not part of the district's curricular or extracurricular program; and
 - b. Is established by a sponsor to serve in the absence of a district program; and
 - c. Receives district support in multiple ways (i.e., not school facility use alone); and
 - d. Sponsors of the activity have agreed to comply with this policy; and
 - e. The District has officially recognized through board action as a school-sanctioned activity.
- *School-sponsored activity* is an activity that the District has approved through policy or other board action for inclusion in the district's extracurricular program and is controlled and funded primarily by the District.
- *School staff* include all employees of the **Nesson Public School District #2**, school volunteers, and sponsors of school-sanctioned activities.

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

Prohibitions

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

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

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

Reporting Procedures for Alleged Policy Violations

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

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

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

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

Reporting to Law Enforcement & Others Forms of Redress

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

Documentation & Retention

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

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

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

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

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

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

Investigation Procedures

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

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

In all other cases, administration shall determine the level of investigation necessary based on the nature of the alleged violation of this policy after considering factors such as, but not limited to: the identity of the reporter and his/her relationship to the victim/alleged perpetrator; the ages of the parties involved; the detail, content, and context of the report; whether this report is the

first of its type filed against the alleged perpetrator. Based on the level of investigation the administrator deems necessary, investigations may include any or all of the following steps or any other investigatory steps that the administrator deems necessary:

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

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

Disciplinary & Corrective Measures

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

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

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 & Professional Development Activities

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

Complementing NDSBA Templates (may contain items not adopted by the Board)

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

- FF, Student Conduct

End of Nesson Public School District #2 Policy ACEA

Adopted:

[01/15]

REQUIRED

Descriptor Code: BBA

2-1

SCHOOL BOARD ELECTIONS & TERMS OF OFFICE

Terms of Office

Terms of office for school board members are **[3][4]** years and are staggered.

Date of Election

The annual election shall be held in accordance with deadlines in law. **[The election shall be held on {specify date as 1st, 2nd etc.} day of {the #} week in the election month unless otherwise scheduled by the Board to fill any vacancies.]**

End of Nesson School District #2 Policy BBA

Adopted:

[03/13]

2-2

MEETINGS OF THE BOARD

Regular Meetings

Regularly scheduled meetings of the **Nesson Public School District #2** School Board shall be held monthly on the **[#] [day]** of the month unless rescheduling is necessary as determined by the Board President. All board meetings shall be properly noticed in accordance with law.

Work Sessions and Retreats

The Board may, from time to time, meet in work sessions or extended work sessions at a time and place conducive to in-depth discussion of the policies and goals of the District. All such meetings shall be open to the public and subject to the same notice requirements as any other meeting of the Board. **No official action may be taken at a work session or retreat.**

Complementing NDSBA Templates (may contain items not adopted by the Board)

- BC-E, Sample Meeting Notice
- BCAD, Executive Session

End of Nesson Public School District #2 Policy BC

Adopted:

[11/10]

2-3

COMPENSATION AND EXPENSES FOR BOARD MEMBERS

Board members will be paid **\$25** per each meeting actually attended. Committee meetings and negotiation sessions will count as meetings for purposes of compensation only when the individual member is a member of the committee or negotiating team. Board members serving on committees will be compensated **\$25** per meeting

Individual board members may elect not to be paid for the meetings attended. Board members electing not to be paid are urged to notify the Business Manager prior to the close of the fiscal year, or the member may return the payment to the District.

The Business Manager shall keep such records necessary to determine the compensation due each board member.

In addition, board members may be reimbursed for all necessary meals, lodging, and travel expenses actually incurred by the member while engaged in official business of the Board. The rate shall be paid in accordance with law.

End of Nesson Public School District #2 Policy BDD

Adopted:

[12/14]

3-1

RECRUITMENT, HIRING, & BACKGROUND CHECKS FOR NEW CLASSIFIED PERSONNEL

The **Nesson Public School District #2** Board is committed to hiring individuals who will best meet the needs of the District consistent with budget limitations, with its goal to ensure student and staff safety, and in compliance with state and federal law.

Definitions

For the purposes of this policy:

- *Applicant* is defined as any individual applying for a classified position.
- *Classified employees/personnel* are defined as district staff working in positions that do not require licensure from the Educational Standards and Practices Board or an administrative credential from the Department of Public Instruction.
- *Competitive personnel system* is defined in accordance with NDCC 37-19.1-01.
- *Crime* is defined as a felony offense, misdemeanor, a violation of an ordinance, and charges that result from non-sufficient funds or “no account.”
- **[Immediate family is defined as the employee's spouse, brother, sister, parents, children, stepchildren, father-in-law, mother-in-law, brother-in-law, sister-in-law, daughter-in-law, son-in-law, and any member of the employee's household.]³**
- *Sexual offender* is an individual meeting the criteria in NDCC 12.1-32-15 and/or is required to register under NDCC 12.1-32-15.
- *Unsupervised contact* is defined in accordance with NDCC 12-60-24 as being in proximity to one or more students, on school grounds, or at school functions.

Recruitment and Hiring Authority

The Board authorizes the Superintendent to hire classified staff. No action of the Board shall be necessary so long as the Board previously established the position and hiring is within budget limitations.

All classified employees shall be hired on an hourly rate and not on a contract. The employment of classified employees shall be at-will.

³ Adopt this option if adopting paragraph five under the screening heading.

All advertising for classified positions shall include a statement that applicants are eligible for Veterans Preference and the District is an Equal Opportunity Employer. The advertisement should include a closing date.

Qualifications Screening Process

The Superintendent or a hiring committee shall investigate the qualifications of applicants for classified positions, including education and experience. In order to determine if an applicant is qualified, the **Superintendent or a hiring committee** shall conduct criminal history record checks when necessary (as explained below) and may:

1. Conduct a driving record check for applicants seeking a position involving transportation of students and/or **regular** use of district vehicles.
2. Conduct a credit check for positions involving **regular** access to district funds.
3. Require a work history from at least the past 3 years;
4. Require applicants to submit to an oral interview. The interview shall have a standard set of job-related questions and pre-determined satisfactory answers.
5. Require at least **3** professional references;
6. Require the applicant to submit to a work simulation.

Job announcements for positions requiring satisfactory driving and/or credit records (as determined by the hiring authority prior to advertising) must list such requirement(s).

Qualifications Screening: Criminal Background Checks

As part of the qualifications investigation, applicants for positions that allow unsupervised contact with students shall be required to:

1. Submit to a criminal history record check; and
2. Certify in writing that the applicant has never been charged with a crime or provide a written description of the disposition of the charge.

The Superintendent or designee shall adjudicate criminal history records based on the following factors:

1. The nature and gravity of any known misconduct and/or offense(s);
2. The time that has passed since any known misconduct, criminal conviction, and/or completion of a sentence occurred;
3. The nature of the job sought.

Applicants will be deemed to be at a risk unsuitable for district employment in at least the following instances:

1. The applicant is a sexual offender or has committed an offense involving a child victim.
2. The falsification or omission of any information concerning criminal convictions or pending criminal charges.

Applicant Rights

Applicants claiming Veterans Preference must provide appropriate certification in accordance with law.

Records obtained by the District for background and other record checks will be used solely for purposes that they were requested and will only be disseminated and retained in accordance with the personnel records policy. The Superintendent shall advise applicants that the procedure for obtaining, correcting, or updating federal records is contained in 28 CFR 16.34. Before making a hiring determination, the Superintendent shall give the applicant a reasonable time to correct and/or complete his/her criminal history record or decline to do so. The Superintendent shall follow the requirements under the Fair Credit Reporting Act if using credit reports to make employment decisions.

Competitive Personnel System

[The District may use a competitive personnel system after conducting the qualifications screening. The system shall be an exam administered in compliance with the point system and other requirements contained in NDCC 37-19.1-02(4)].

Final Selection

The District will make all final selections of employees for classified positions in accordance with Veteran Preference law (NDCC 37-19.1-02). When permitted by law, this may include further inquiry (i.e., after initial qualifications screening and, if applicable, the completion of the competitive personnel exam) into an applicant's qualification based on screening mechanisms such as interviews, background checks, and skills testing.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- DBAA-AR, Background Screening Procedure
- DBAA-E, Adjudication System
- DI, Personnel Records

End of Nesson Public School District #2 Policy DBAA

Adopted:

[09/11]

3-2

DRUG & ALCOHOL TESTING FOR EMPLOYEES**Definitions**

For the purpose of this policy:

- *Drugs and controlled substances* are interchangeable and have the same meaning.
- *Controlled substance* refers to substances covered by the Omnibus Transportation Act, including marijuana, cocaine, opiates, amphetamines and phencyclidine (PCP).
- *Covered employee/position* means an employee/position subject to the Omnibus Transportation Employee Testing Act.
- *Safety-sensitive position* means a job in which a momentary lapse in the discharge of duties poses a safety threat with potentially severe consequences. In addition to covered positions, the board recognizes the following as safety-sensitive positions: school vehicle drivers as described in NDCC 15.1-07-20

Covered Employees

The **Nesson Public School District #2** is committed to the establishment of a drug and alcohol misuse prevention program that meets all applicable requirements of the Omnibus Transportation Employee Testing Act. All covered employees are prohibited from using controlled substances and are subject to pre-duty, on-duty, and post-accident alcohol use restrictions contained in federal law.

An employee covered by the federal regulations may not refuse to take a required test. Refusal includes submitting an adulterated or substituted specimen for testing. Employees who refuse required testing will, at a minimum, be prohibited from performing safety-sensitive duties.

Pre-employment controlled substance **and alcohol** testing shall be administered to an applicant offered a covered position in the District prior to the first time the employee performs any safety-sensitive function for the District **unless the applicant meets exemption criteria contained in federal regulations**. Employment with the District is conditional upon the applicant receiving negative test results.

All covered employees shall be subject to reasonable suspicion, random, post-accident, return-to-duty and follow-up alcohol and drug testing pursuant to procedures set out in the federal regulations. Testing will be performed in accordance with federal drug and alcohol testing regulations.

Transportation contracts approved by the District shall contain assurance that the contractor will establish or join a drug and alcohol testing program

that meets the requirements of federal regulations and this policy and will actively enforce the regulations of this policy as well as federal requirements. An independent contractor who drives his/her own bus/vehicle is subject to the same requirements as the district's own employees.

Other Safety-Sensitive Positions

An individual applying for, transferring to, or being promoted to any safety-sensitive position shall initially be subject to controlled substance **and alcohol** testing. Verified positive test results shall prevent an applicant/employee from moving into a safety-sensitive position. **School vehicle drivers shall also be subject to post-accident, reasonable suspicion and random testing. Non-transportation safety-sensitive positions shall be subject to post-accident and reasonable suspicion tests.** All testing shall be conducted in accordance with the procedure used to test covered employees.

Confidentiality of Records

The District shall maintain records in compliance with law. Drug and alcohol testing records are confidential and shall be maintained in a secured location. With the employee's consent, the District may obtain any information concerning drug and alcohol testing from the employee's previous employer. An employee shall be entitled, upon written request, to obtain copies of any records pertaining to the employee's use of alcohol or controlled substances including information pertaining to alcohol or drug tests. Records shall be made available to a subsequent employer upon receipt of a written request from an employee only as expressly authorized by the terms of the employee's request.

Necessary records and reports shall be maintained and made available to federal and state transportation agencies upon request in accordance with federal regulations.

Training

The District shall take steps to ensure that supervisors receive proper training to administer the drug and alcohol testing program.

Violations

If the testing confirms prohibited alcohol concentration levels or the presence of a controlled substance, the employee shall be removed immediately from safety-related functions and may be subject to the disciplinary consequences contained in the Drug and Alcohol Free Workplace policy. Before an employee is reinstated, if at all, the employee shall comply with all applicable return-to-duty requirements. **An employee who is prohibited from performing safety-sensitive functions may be assigned to non-safety-sensitive functions until such time as the employee complies with the requirements for returning to duty.** The District will follow treatment referral procedures contained in federal regulations for covered employees.

Employees with verified alcohol concentrations below prohibited amounts shall be removed from safety-sensitive positions and may be subject to the disciplinary consequences contained in the Drug and Alcohol Free Workplace policy.

The District is not required to provide rehabilitation, pay for substance abuse treatment, or to reinstate the employee. The Board retains the authority consistent with law to discipline or discharge any employee who is an alcoholic or chemically dependent and whose current use of alcohol or drugs affects the qualifications for and performance of his/her job.

Policy Dissemination

The Superintendent shall disseminate this policy and other educational material in accordance with federal law. Each employee subject to this policy shall certify in writing that s/he has received this material upon receipt. The Board designates the Superintendent as the individual responsible for answering questions related to this material.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- DBBA-E, Drug & Alcohol Testing for Employees
- DEAA, Drug & Alcohol Free Workplace
- DEAA-AR, Procedure if Chemical Use is Suspected
- DEAA-E, Record of Observable Behavior
- DFC, Transfer & Reassignment
- DI, Personnel Records

End of Nesson Public School District #2 Policy DBBA

Adopted:

[04/13]

REQUIRED

Descriptor Code: DEAA

3-3

DRUG & ALCOHOL FREE WORKPLACE

The **Nesson Public School District #2** enforces the Drug-Free Workplace Act. The District prohibits employees from:

1. Unlawfully manufacturing, distributing, dispensing, possessing or using a controlled substance or alcohol on district property and grounds, in any vehicle belonging to the District, and at any school-related activity
2. Knowingly or intentionally aiding or abetting in any of the above activities

Awareness Program

The Superintendent shall create an employee drug-free awareness program in accordance with federal law.

Policy Dissemination

The Superintendent shall give a copy of this policy to each employee and maintain documentation of receipt of this information.

Violation Reporting

As a condition of employment, each employee shall agree to abide by this policy and notify the Superintendent of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction. The Superintendent, in accordance with law, will notify the appropriate federal agency after receiving any notice of a conviction for a violation occurring in the workplace. An employee is also required to inform his/her immediate supervisor when the employee's ability to perform job duties is impaired due to on- or off-duty controlled substance use.

Violations

Violations of this policy may result in the following:

1. **Mandatory participation in the Employee Assistance Program (EAP) and/or a rehabilitation program.**
2. Unpaid leave or suspension.
3. Termination of employment. Due process procedures shall be followed prior to termination, if applicable.
4. Notification of proper law enforcement authorities.

Assistance

The Board recognizes that alcohol and drug addiction is a treatable disease and that early intervention and support improve the success of rehabilitation. **The District shall offer an Employee Assistance Program (EAP) to assist in rehabilitation and intervention efforts. Use of the EAP will not jeopardize employment or promotion opportunities.** Treatment for alcohol and/or drug addiction may be covered by the employee benefit plan; however, the ultimate financial responsibility for this treatment belongs to the employee.

Confidentiality

All information received by the District as a result of this policy is confidential. Access to this information is limited to those who have a legitimate need to know.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- DEAA-AR, Procedure if Harmful Chemical Use is Suspected
- DEAA-E, Record of Observable Behavior
- DGB, Employee Assistance Program
- DGB-BR, Employee Assistance Program Procedure

End of Nesson Public School District #2 Policy DEAA

Adopted:

[06/13]

REQUIRED

Descriptor Code: DI

3-4

PERSONNEL RECORDS

The **Superintendent** shall keep a personnel folder for each employee, licensed and classified. The folder shall contain such information as is required by law and shall include performance evaluations, the Business Manager's record of the license held for all licensed personnel, an itemized list of all documents in the file, and a record of access including the date of review and identity of persons reviewing the file if they choose to identify themselves.

Location

Personnel records shall be maintained in the following areas:

1. The Business Manager shall maintain records:
 - a. Required for payroll purposes, for record keeping under the Fair Labor Standards Act, and other laws pertaining to payroll recordkeeping.
 - b. Containing all personal information as defined by law, including but not limited to records of medical treatment and use of employee assistance programs.
2. The **Superintendents** shall seal and mark confidential all state and federal criminal history records and, if applicable, credit history records and motor vehicle records. These records shall be stored in a secured area.
3. Records relating to alcohol and controlled substance use/testing shall be maintained in accordance with federal regulations. Statistical records and

reports shall be maintained and made available to the Federal Highway Administration for inspection or audit in accordance with federal regulations.

4. **Each building** office shall maintain all other personnel records, excluding the Superintendent's **and the principal's** file.
5. The **Business Manager** shall maintain the Superintendent's personnel record. **[The Superintendent shall maintain the principal's personnel record.**

Only employees who have a need to know in order to perform their duties will have access to information listed in section one, two, and three above.

Former Employees

A file shall be kept for all resigned, terminated, or retired employees, including such essential information as shall seem appropriate to the administration at least six years.

Transcripts used in the process of hiring will be returned to the employee. Licensed staff will be required to have them available for accreditation purposes as needed.

Record Review

The Board shall establish and approve a procedure for handling requests to review personnel records. The Superintendent **and Business Manager** may seek legal advice on matters pertaining to review requests but access to open public records will not be unreasonably delayed.

Removal of Material

Removal of material from a teacher's personnel file will be handled in accordance with state law.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- DI-BR, Personnel Records Review Procedure
- DIA, Distribution of Personnel Directory
- DIB, Review of Contested Material in Personnel Files
- DHAB, Title I Qualification Notification Requirements

End of Nesson Public School District #2 Policy DI

Adopted:

[03/10]

REQUIRED

Descriptor Code: FAAA

4-1

OPEN ENROLLMENT

Open enrollment applications received from residents of other North Dakota school districts will be acted upon by the Board at a regular or special meeting prior to the deadline established by law. All applications will be reviewed and acted upon in the same chronological order as they were received.

Criteria for acceptance or rejection shall be based upon the capacity of a program, class, grade level, or school building. The Board will not deny an application on the basis of previous academic achievement, participation in extracurricular activities, disabilities, English language proficiency or previous disciplinary proceedings.

The District will not give or offer to give remuneration or directly or indirectly exert influence upon the student or the student's family, in order to encourage participation in the open enrollment program.

The Business Manager or designee will notify the parent or guardian and the resident district of the acceptance or rejection of an application within the deadline established by law.

The District reserves the right for the Superintendent to assign a building and to determine the class schedule for students who are accepted under this policy.

The District will not be responsible for transportation of resident students who have enrolled in other districts through the open enrollment process **or for students from other districts admitted through open enrollment.**

Complementing NDSBA Templates (may contain items not adopted by the Board)

- FAAA-E, Open Enrollment and Tuition Agreement Comparison Guide

End of Nesson Public School District #2 Policy FAAA

Adopted:

[04/08]

REQUIRED

Descriptor Code: FAB

SCHOOL ASSIGNMENT & CHOICE

The Superintendent shall establish, and the Board shall approve, attendance boundaries for each district school.

Students shall attend the school to which they are assigned; however, the Board authorizes the Superintendent to grant or deny requests for individuals to attend schools outside of their designated attendance areas after consideration of the following criteria:

1. The change appears to be in the best interests of the student and the District.
2. No bus route will be extended beyond its normal run.
3. Principals of both schools involved approve of the change.
4. The transfer will not create overcrowding.

The Board reserves the authority to transfer students from the assigned school to a different school when enrollment must be balanced because of classroom space requirements or class size. Transfer decisions shall comply with 20 U.S.C. 1703.

School Choice

Parents of students attending a Title I school identified under law as in need of improvement, under corrective action, under restructuring, persistently dangerous, and/or parents of students who become a victim of documented violence while at school shall:

1. Receive notification in accordance with law;
2. Be given the option of transferring their child to another district school;
3. Be given the option of transferring their child to a school outside the District if the District does not have more than one school offering the student's grade level and/or the District does not have another school defined under applicable law as safe and meeting adequately yearly progress.

Extracurricular Eligibility

The District shall comply with all North Dakota High School Activities Association (NDHSAA) regulations regarding transfer student's eligibility for NDHSAA sponsored programs and events.

End of Nesson Public School District #2 Policy FAB

Adopted:

[04/14]

4-3

EDUCATION OF THE HOMELESS STUDENTS

The District shall comply with the McKinney-Vento Education of Homeless Act. The District shall seek to eliminate barriers to school attendance for homeless students as defined by law. When feasible and consistent with a parent/guardian/unaccompanied youth's wishes, the homeless student shall be enrolled in his/her school of origin and transportation shall be provided at the district's expense.

When not feasible for a homeless student to attend his/her school of origin, as determined by the Superintendent in consultation with the parent/guardian/unaccompanied youth, the student shall be placed in a school that is in the "best interest of the student." The Superintendent shall submit such placement decisions to the parent/guardian in writing along with notice of the right to appeal and a dispute resolution procedure.

Dispute Resolution

The District shall comply with all interim measures required by law during the dispute resolution process. Parent/guardian/unaccompanied youth wishing to file an appeal of a determination made through the district-level dispute resolution procedure shall notify the homeless student liaison. The liaison shall follow the dispute resolution procedure created by the state.

Homeless Student Liaison

The Board designates **the Superintendent** as the homeless student liaison. This individual shall perform all duties required by law.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- FDB-BR, Education of the Homeless Dispute Resolution Procedure

End of Nesson Public School District #2 Policy FDB

Adopted:

[05/11]

4-4**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 **[Name of District]** 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.

Accommodations 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.

If a student refuses to inform her parent(s)/guardian of her pregnancy within a reasonable time, the counselor in conjunction with the Superintendent shall make a decision about whether to inform the student's parent(s)/guardian. The decision shall be made on a case-by-case basis, taking into account the student's age and safety. Before acting on the decision, the counselor shall contact the student and provide her with an opportunity to appeal the decision to the Superintendent.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- AAC, Nondiscrimination & Anti-Harassment Policy
- AAC-BR, Discrimination & Harassment Grievance Procedures
- FFB, Attendance & Absence

End of Nesson Public School District #2 Policy FDD

Adopted:

[08/14]

REQUIRED

Descriptor Code: FDE

4-5

EDUCATION OF SPECIAL EDUCATION/DISABLED STUDENTS

The **Nesson Public School District #2** assures that all students with disabilities, ages 3 through 21, have the right to a free and appropriate public education in accordance with the Individuals with Disabilities Education Act and North Dakota

law. In addition, the District complies with Section 504 requirements. For the purpose of compliance with state and federal laws concerning special education/disabled students and providing this assurance, the **Nesson Public School District #2** is a member of the **WiMac Special Education Unit** and subscribes to its policies and procedures. These policies and procedures include those required to comply with IDEA and Section 504, such as but not limited to child find and procedural safeguards.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- FDE-E, Section 504 Eligibility Determination Form

End of Nesson Public School District #2 Policy FDE

Adopted:

[05/10]

REQUIRED

Descriptor Code: FF

4-6

STUDENT CONDUCT & DISCIPLINE

Conduct Standards

Students will be expected to conduct themselves in a manner fitting their age level and maturity, in a manner that will not impede on the orderly conduct of district schools, and will be expected to respect the rights of others on district

property, including, but not limited to, district owned/leased/chartered vehicles, at school-sponsored events, and off-campus when student conduct has or is reasonably predicted to have a substantially disruptive effect on district operations and/or the educational environment.

Disciplinary Standards

Consequences for misconduct will be fair and developmentally appropriate in light of the circumstances. 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 Education Act when responding to violations of student conduct standards by special education students.

Prohibited Disciplinary Actions

The Board recognizes that reasonable physical force may occasionally be necessary to guard the safety and well-being of students or employees or to deliver a student to an administrator's office; however, the use of corporal punishment, defined as the willful infliction of physical pain on a student, is not allowed in the **Nesson Public School District #2** 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.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- FF-AR, Student Conduct Standards & Disciplinary Procedures
- FF-E, Examples of Student Conduct Violations
- KACB, Patron Complaints About Personnel

End of Nesson Public School District #2 Policy FF

Adopted:

[07/09]

REQUIRED

Descriptor Code: FFA

4-7

STUDENT ALCOHOL & OTHER DRUG USE/ABUSE

Philosophy

The **Nesson Public School District #2** 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 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,⁴ 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.

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.

Confidentiality

⁴

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.

Policy Implementation

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

The **Nesson Public School District #2** will review this policy and its implementation periodically to ensure that disciplinary sanctions are consistently applied and to determine the effectiveness of the program for the prevention of alcohol and other drug use/abuse.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- ABBA, Tobacco Free School & Workplace
- FFA-AR, Alcohol & Other Drug Intervention Procedure
- FFE, Extracurricular Participation Requirements
- FFK, Suspension & Expulsion
- FFK-BR, Suspension & Expulsion Regulations
- FGAA, Student Counseling & Guidance Records & Confidentiality
- FGCB, Searches of Students & Students' Personal Property
- FGDB, Student Handbooks

End of Nesson Public School District #2 Policy FFA

Adopted:

[06/13]

4-8

ATTENDANCE & ABSENCES

North Dakota law contains compulsory attendance requirements for students ages seven through sixteen. In order to comply with and enforce these requirements, the Board establishes the following attendance policy.

Section I: Definitions

- A. For purposes of compulsory attendance reporting under NDCC 15.1-20-02.1 (1-2):
- *Excused absence* is an absence that the District will not use in determining if a compulsory attendance violation occurred. Any absence may be excused if it is supported by either a verbal or written excuse supplied by the student's parent, teacher, or school administrator.
 - *Unexcused absence* is any absence not supported by the verbal or written excuse required for an excused absence.
- B. For the purposes of imposing **academic or disciplinary** sanctions under Section III of this policy as authorized by NDCC 15.1-20-02.1(3):
- *Approved absence* is an absence that the District believes is necessary and/or unavoidable and has received administrative approval. Necessary and/or unavoidable absences may be caused by illness, injury, family emergency, religious observance or instruction, suspension, participation in a school-related activity, court appearances when subpoenaed, or other reasons deemed necessary and/or unavoidable by the principal or Superintendent. Students granted approved absences shall not be subject to the consequences contained in Section III of this policy. The Superintendent or designee shall develop criteria for requesting and granting an approved absence and shall establish make-up work requirements.
 - *Unapproved absence* is defined as an absence that does not meet the above criteria for approved absences. If a student is absent for an unapproved reason, the parent/guardian shall still be responsible for calling the principal's office to explain the absence, and the student will be subject to the consequences contained in Section III of this policy.

Section II: Documentation Requirements

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

1. Medical documentation from an appropriate licensed healthcare provider;

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

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

Compulsory Attendance Violations

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

Dissemination

This policy shall be published in all student handbooks.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- FGDB, Student Handbooks

End of Nesson Public School District #2 Policy FFB

Adopted:

[08/11]

4-9

CARRYING WEAPONS**Definitions**

- *Firearm* is defined in accordance with 18 U.S.C. 921.
- *Weapon* includes, but is not limited to any knife, razor, ice pick, explosive, smoke bomb, incendiary device, firearm, slingshot, bludgeon, brass knuckles or artificial knuckles of any kind, or any object that can reasonably be considered a weapon, dangerous instrument, or look-alike.

Prohibitions

No student will knowingly possess, handle, carry, or transmit any weapon or dangerous objects or look-a-likes, in any school building, on school grounds, in any school vehicle, or at any school-sponsored activity.

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 which contributed to the student's decision to possess a firearm in violation of this policy.
5. The recency and severity of prior acts resulting in suspension or expulsion.
6. Whether the optional provision of educational services in an alternative setting is a viable alternative to modifying the duration of the expulsion.
7. Input, if any, provided by licensed professionals (psychologists, psychiatrists, counselors) as to whether the expelled student would place himself/herself or others at risk by returning to the school prior to the expiration of the expulsion period.

Parents will be notified and all weapons, dangerous objects, or look-a-likes will be confiscated and may be turned over to the student's parents or to law enforcement officials at the discretion of the administration. Firearms will be confiscated and turned over to law enforcement.

Special Education Students

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

Nonapplicable Provisions

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

Complementing NDSBA Templates (may contain items not adopted by the Board)

- FFK, Suspension & Expulsion
- FFK-BR, Suspension & Expulsion Regulations
- FFK-E1, Suggested Procedure for Conducting an Expulsion Hearing
- FFK-E2, Suspension & Expulsion for Special Education Students

End of Nesson Public School District #2 school District Policy FFD

Adopted:

[05/11]

4-10**EXTRACURRICULAR PARTICIPATION REQUIREMENTS****Philosophy**

The 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 on 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.

Tobacco, Alcohol & Other Drug Use

In addition to the tobacco, alcohol, and other drug prohibitions contained in NDHSAA bylaws, the District prohibits student presence at a gathering where alcohol, tobacco, or a controlled substance is being illegally used. Student presence at such a gathering will be regarded as possession. The building principal will take into consideration whether the student was at a gathering where the student had knowledge that alcohol, tobacco, or a controlled substance was being illegally used, and whether or not the student had a reasonable opportunity to remove him/herself from said location. The disciplinary consequences for violating this rule shall be suspension from extracurricular participation for the same duration as prescribed for tobacco, alcohol, and other drug possession by NDHSAA bylaws.

Academics

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 Nesson Public School District #2 also requires that no student may participate in a contest if he or she is failing more than one class as computed from the beginning of the semester.

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). Such consequences shall be imposed in addition to other disciplinary consequences imposed under the applicable policy.

Suspension Procedure

When the 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 and travel with their respective teams. However, suspended students will not be allowed to miss school time to travel with the team.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- FF, Student Conduct & Discipline
- FFE-AR, Meals for Students Participating in Extracurricular Activities
- FFE-AR2, Athletic Physicals
- FFK, Suspension & Expulsion
- FFK-BR, Suspension & Expulsion Regulations
- GCBA, Grading

End of Nesson Public School District #2 policy FFE

Adopted:

[07/08]

REQUIRED

Descriptor Code: FFG

4-11

STUDENT 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. Administration shall review student speeches prior to delivery. In the event that a speech contains potential prohibited content, administrators **should** contact legal counsel to seek guidance before asking a student to remove such content.

End of Nesson Public School District #2 Policy FFG

Adopted:

[04/09]

REQUIRED

Descriptor Code: FFK

4-12

SUSPENSION AND EXPULSION

Definitions

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 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 Board designates **itself** 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 **Nesson Public School District #2** 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, or during a school-related activity 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 inciteful 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.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- FGDB, Student Handbooks
- FFK-BR, Suspension & Expulsion Regulations
- FFK-E1, Suggested Procedure for Conducting an Expulsion Hearing
- FFK-E2, Suspension & Expulsion of Special Education Students

End of Nesson Public School District #2 Policy FFK

Adopted:

REQUIRED

Descriptor Code: FG

4-13

STUDENT RIGHTS AND RESPONSIBILITIES

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

These rights and responsibilities include:

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

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

Complementing NDSBA Templates (may contain items not adopted by the Board)

- FFG, Student Assemblies
- FGDB, Student Prayer During Non-Instructional Time
- FGDB, Student Handbooks

End of Nesson Public School District #2 Policy FG

Adopted:

[07/08]

4-14

STUDENT EDUCATION RECORDS

The District shall comply with all required components of the Family Educational Rights and Privacy Act (FERPA) and the Individuals with Disabilities Education Act (IDEA) when maintaining, retaining, granting access to, disseminating, and disposing of student educational records. In addition, the District shall comply with all notification requirements required by these laws.

Definitions

For the purpose of this policy:

- *Legitimate educational interest* is defined as access that is needed in order for a school official to fulfill his/her professional responsibility.
- *School official* is defined as:
 - a. An individual employed by the District in an administrative, instructional, or support staff position;
 - b. School board members;
 - c. **[School resource officer(s)];**
 - d. A person or company contracted by the District to perform institutional services and/or functions, including, but not limited to, attorneys hired by the District and data storage and protection agencies;
 - e. **[A volunteer that performs institutional services and/or functions for the District];**
 - f. **[A consultant hired to perform institutional services and/or functions for the District];**
 - g. **[A threat assessment team (see Violent & Threatening Behavior policy for definition)].**
- *Permanent record* is defined as a record containing a student's name, address, phone number, record of grades, years enrolled, courses attended, and grades completed.

Access

The District shall grant access to student educational records to individuals as authorized by law. When applicable, appropriate consent will be obtained and/or agreements established to release records and the District will honor opt-out requests. The District shall comply with all recordkeeping requirements related to record access and disclosure as delineated in law.

School officials with a legitimate educational interest in a student's educational record shall be granted access to the portions of the record that they have a need to know. This list of school officials shall be included in the district's annual FERPA notification.

School officials will receive appropriate training and information on privacy to ensure records are not misused. The District shall put reasonable methods in place to ensure that school officials only obtain access to educational records or portions of educational records of which they have a legitimate educational interest.

Review and Amendments

The Board shall develop procedures for a parent/guardian/student to review and amend educational records. These procedures shall be delineated in board-approved regulations and shall be disseminated annually in accordance with law.

Record Dissemination

1. Other schools: When a student enrolls, intends to enroll, or has enrolled in another school, the District shall forward a copy of the student's educational record, including disciplinary records **involving suspension and/or expulsion** to the new school district without prior consent so long as disclosure is for enrollment or transfer purposes. The District shall retain the original student record.
2. Directory information: The Board defines directory information as:
 - a. Address
 - b. **[Date and place of birth];**
 - c. **[Dates of attendance];**
 - d. **[Degrees, honors, and awards received];**
 - e. **[Electronic personal identifier];**
 - f. **[Grade level];**
 - g. **[Institutional electronic mail address];**
 - h. **[Major field of study];**
 - i. **[Most recent educational agency or institution attended];**
 - j. **[Participation in officially recognized activities and sports];**
 - k. **[Photograph];**
 - l. Student's name;
 - m. Telephone listing;
 - n. **[Weight and height of members of athletic teams].**

Directory information in parenthesis [] may or may not be included.

The District may release this information without a parent/guardian/authorized student's consent unless the parent/guardian/authorized student has requested to opt-out. Opt-out notices will be disseminated in accordance with law. The District shall provide applicable directory information to entities authorized to access to directory information under FERPA and North Dakota law unless a parent/authorized student has opted out.

3. The District may release the contents of a student's educational record for reasons permitted by law, such as, but not limited to, health and safety

reasons after taking into account the totality of circumstances and determining an articulable and significant threat to the health and safety of the student or others exists.

4. The District may or, when required by law, shall release students' personally identifiable information from student educational records to authorized representatives, as defined by FERPA, in accordance with PII disclosure agreement requirements and other safeguard procedures mandated by FERPA regulations.
5. De-identified information may be released upon request if the request meets conditions permitting release of such information under law.

Record Retention & Destruction

All components of a student's educational record shall be retained for at least the duration required by state law after which the permanent record will at least be retained. No record will be destroyed for which there is an outstanding request from a parent/student to review.

Special education records may be retained for a duration longer than required by law at the discretion of the **special education director** except that, in accordance with law, personally identifiable information in a special education record must be destroyed at the request of the parent(s). Parents of special education students shall be notified and their consent shall be obtained before the non-permanent components of a special education student's educational record are destroyed.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- ACE, Violent & Threatening Behavior
- FACB, Transfer & Withdrawal Records
- FGA-BR, Student Education Records Access & Amendment Procedure
- FGA-E, Notice for Directory Information
- FGA-E2, Notification of Rights Under FERPA for Elementary and Secondary Schools

End of Nesson Public School District #2 Policy FGA

Adopted:

[11/14]

REQUIRED

Descriptor Code: FGGB

4-15

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.

End of Nesson Public School District #2 Policy FGGB

Adopted:

[02/11]

4-16

STUDENT HANDBOOKS

The Superintendent or designee shall create student handbooks in conformance with the Department of Public Instruction’s regulations. The Superintendent shall ensure that student handbooks do not conflict with district policy, state law, and/or federal law.

Student handbooks shall be disseminated to each student at the beginning of the school year and to each new student upon enrollment in the District.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- FGDB-E, Department of Public Instruction Student Handbook Regulations

End of Nesson Public School District #2 Policy FGDB

Adopted:

[07/08]

5-1**CURRICULUM DESIGN & EVALUATION****Development**

The Board shall appoint a curriculum committee to assess curricular needs, review curricular inclusions, and make curricular recommendations on expansion and improvement.

The curriculum shall include all components/subjects mandated by law and shall provide for the needs of all students, including both vocational and college-bound students. The curriculum/curricular programs shall at least contain the following components:

1. Content standards, which shall, at a minimum, be based upon state standards.
2. Performance objectives, which shall, at a minimum, be based upon state standards. The objectives should highlight core skills and knowledge that the majority of students are expected to acquire. They must provide clear direction to instructors and be concrete enough to allow documentation of student growth.

Curriculum proposals shall demonstrate consistency with the district's mission and education goals, contain a justification for the proposed program, describe conditions and resources necessary to meet performance standards and programming needs, and shall contain an implementation procedure and timeline.

Experimental Programs & Projects

Under this program, teaching and administrative staff may propose experimental programs and projects to the curriculum committee. The committee shall review such proposals and make recommendations to the Board based on feasibility and suitability.

Evaluation

Annually, by a deadline established by the Board, the curriculum committee shall complete an evaluation of the current curriculum and submit recommendations to the Board for action. Evaluation will be performed in order to determine the need for modification to or elimination of current curricular programs and offerings and the need for new curricular offerings and programs.

The curriculum committee may use at least the following indicators during this evaluation process:

1. Testing programs such as national standardized general achievement tests, nationally standardized tests in specific subject areas, and tests administered by other agencies;
2. Study of school achievement records;

3. Study of students' dropout records;
4. Utilization of out-of-system services; participation in regional research studies; contracted evaluation services;
5. Teacher and parent evaluation of student achievement and curricular needs;
6. Recommendations by teachers and/or administrators;
7. Evaluation by other agencies.

All board action on curriculum matters will be taken in accordance with the district's policy on curriculum adoption.

The District has adopted a separate procedure related to complaints about instructional material and resources. This policy shall not supersede or govern that procedure.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- BBBB, School Board Committees
- GAAB, Curriculum Adoption
- GAAC, Review & Complaints about Instructional & Resource Material
- GAAC-BR, Procedure for Reviewing Complaints about Instructional/Resource Material

End of Nesson Public School District #2 Policy GAAA

Adopted:

[06/09]

REQUIRED

Descriptor Code: GAAB

CURRICULUM ADOPTION

Annually, after reviewing the recommendations of the curriculum committee, budgetary data, other pertinent information, and ensuring the curriculum meets all requirements under district policy and law, the Board shall vote on the curriculum for the upcoming school year. The Superintendent shall assist in this process to ensure the curriculum is comprehensive and meets all applicable legal requirements.

During the course of the school year, the curriculum committee may suggest improvements and changes to the curriculum, and such changes may be implemented administratively by the Superintendent and his/her designee(s) as the Superintendent deems necessary and educationally sound. The Superintendent shall report to the Board prior to implementing such changes.

End of Nesson Public School District #2 Policy GAAB

Adopted:

[04/13]

5-3**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.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- GAAC-BR, Procedure for Reviewing Complaints about Instructional/Resource Material
- GAAC-E1, Request for Reconsideration of Instructional Resources
- GAAC-E2, Library Bill of Rights
- GAAC-E3, Access to Resources & Services in School Library Media Program
- GAAC-E4, Hatch Amendment Sample Letter

End of Nesson Public School District #2 Policy GAAC

Adopted:

[02/09]

REQUIRED

Descriptor Code: GABAA

5-4

ENGLISH LANGUAGE LEARNERS

It is the policy of the **Nesson Public School District #2** to provide the appropriate educational services as required by law. Students are guaranteed equal educational opportunities regardless of race, color, religion, gender, national origin, ancestry, disability, age, or other status protected by law. Students identified as lacking the necessary language proficiency to learn and interact in the classroom shall be provided necessary services.

The District provides appropriate educational services and parity in programs/services/resources provided to students who are Limited English Proficient (LEP) and/or English Language Learners (ELL). The District has developed a plan which describes the process of identifying and assessing students who are LEP or ELL. The plan is consistent with state and federal requirements.

The plan also includes a procedure for ensuring participation by identified students in state mandated assessments and a description of methods used to assist with language proficiency and academic achievement, including a description of the instructional model chosen, method of developing individual student instructional plans, teacher assessment, instructional planning, parental involvement, and program exit criteria. The plan assures that a trained ESL or bilingual education teacher shall oversee the LEP and ELL program. The plan will be monitored to ensure that portions that fail to meet the needs of LEP and ELL students are revised or discontinued.

Parents or guardians of ELL and LEP student shall be notified upon identification and be informed of student's needs, services available, and annual progress in English and academic achievement. Parents or guardians shall be communicated with, to the extent practicable, in their native language or a language that they can understand.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- AAC, Nondiscrimination & Anti-Harassment Policy
- FAB, School Assignment & Choice
- FACA, Placement & Adjustment of Transfer Students

End of Nesson Public School District #2 Policy GABAA

Adopted:

REQUIRED

Descriptor Code: GABDB

5-5

TITLE PROGRAMS DISPUTE RESOLUTION PROCEDURE

Process

Any individual who believes that the **Nesson Public School District #2** has violated the regulations or law governing a Title program should submit a complaint to the **Superintendent at 224 2nd Ave West, Ray, ND 58849 or call (701) 568-3301**. The **Superintendent** 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 **appropriate Title Program Director**. The **Title Program Director** shall issue a written response to the complainant as soon as practicable not to exceed 30 days.

Reconsideration

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

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

End of Nesson Public School District #2 Policy GABDB

Adopted:

REQUIRED

Descriptor Code: GACB

5-6

PATRIOTIC EXERCISES

The principal of each school and/or any teacher is allowed to provide a daily program for the voluntary pledge of allegiance. Students may also receive instruction concerning the words and music of the national anthem so they are able to recite or sing the words and recognize the music.

The Board recognizes that the beliefs of some students and teachers prohibit their participation in these patriotic exercises. No person shall be required to participate in these exercises. All persons, however, are expected to show respect to the flag and to the participation of others in the exercise.

Schools may hold ceremonies and/or integrate information into the curriculum related to historically significant and/or patriotic holidays such as Martin Luther King Day, President's Day, Flag Day, and Columbus Day.

End of Nesson Public School District #2 Policy GACB

Adopted:

[02/09]

REQUIRED

Descriptor Code: GCAA

5-7

GRADE PROMOTION, RETENTION, & ACCELERATION

The **Nesson Public School District #2** is committed to fostering the continuous educational and personal growth of its students. Student progress shall be continually evaluated based on state achievement standards, course content standards, and education goals and objectives as established by administration and the teaching staff.

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

Criteria for Determining Promotion & Retention

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

1. Whether the student has completed course requirements at the presently assigned grade.
2. Whether the student demonstrates proficiency in enough course content areas to warrant promotion.
3. Whether the student has sufficiently met achievement standards and other educational goals/objectives established for the student's current grade level.
4. Whether the student demonstrates the degree of social, emotional, and physical maturation necessary for successful learning experiences in the next grade level.
5. The decision to promote or retain a special education student shall be made by the Individual Education Program (IEP) team in accordance with applicable law.

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

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

Acceleration

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

Complementing NDSBA Templates (may contain items not adopted by the Board)

- GCAA-AR, Grade Promotion, Retention & Acceleration Procedure

End of Nesson Public School District #2 Policy GCAA

Adopted:

[06/09]

5-8

EDUCATIONAL RESEARCH & SURVEYS OF STUDENTS

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

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

1. The research/survey is conducted for the purpose of improving the education or general welfare of students.
2. The party proposing the study/survey has a purpose and mission that is in keeping with the district's mission, goals, and objectives.
3. The study/survey proposal is sufficient in scope and depth to justify the use of the time and effort of district students and staff.
4. The party conducting the research/survey will provide a copy of the survey instrument and/or any instructional material that will be used including, but not limited to: textbooks, teachers' manuals, films, software, and/or other supplementary material. Such material must be provided prior to the initiation of the survey/study and in a timely manner, allowing the Superintendent and other relevant school officials ample opportunity to review such material.
5. Neither the study/survey or its findings are reasonably predicted to exploit or compromise the safety of district students and staff.
6. The party conducting the study/survey agrees to provide a copy of the outcome/results to the District within a reasonable time after the study/survey's completion.

Before **approving** a study/survey, the Superintendent shall also take into account the amount of instructional time the survey/study will consume, whether it will unduly disrupt the educational environment, the level of supervision the district will have to provide to third parties conducting the survey/study, the amount of protected/confidential information that will be gathered, and whether agency conducting the survey/study has developed appropriate safeguards for collection, protection, disclosure, and use of protected/confidential information.

Teachers may use surveys in classes to determine student knowledge and/or attitudes prior to teaching, provided that administrative approval has been given and provided that responses will not be used in any identifying manner. Surveys used by the District in any experimental program or research project will be subject to any curriculum requirements established by board policy prior to implementation/use.

Protection of Pupil Rights Amendment

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

Complementing NDSBA Templates (may contain items not adopted by the Board)

- FGA, Student Education Records
- GAAA, Curriculum Design & Evaluation
- GCC-E, Model Notification of Rights Under the Protection of Pupil Rights Amendment

End of Nesson Public School District #2 Policy GCC

Adopted:

[03/09]

5-9

GRADUATION EXERCISES

The Board wishes to recognize the achievement of high school graduation by annually holding a graduation ceremony.

Participation Criteria

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 student who is within one semester credit of meeting graduation requirements at the end of the school year will be permitted to participate in the graduation ceremonies with his/her class if he/she has made arrangements to complete the credit. His/her diploma will be awarded when the requirement has been met.**
2. **A foreign exchange student, upon successful completion of the school year.**
3. A special education student who is unable to meet graduation requirements but will receive a certificate of attendance or special education diploma.

Additional exceptions may be approved by the Board, upon recommendation of the Superintendent. 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.

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.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- FF, Student Conduct & Discipline
- FFG, Student Assemblies

End of Nesson Public School District #2 Policy GDB

Adopted:

[04/09]

6-1

FEDERAL FISCAL COMPLIANCE

The **Nesson Public School District #2** will appoint one individual annually to serve as the authorized representative for the Title I program in accordance with state Title I requirements. This individual will have official signature authority over the Title I program and the district’s Title I funds, will serve as the district’s main contact for the State Title I office, unless the district specifies otherwise, and will receive Title I updates and mailings.

The **Nesson Public School District #2** Board approves the authorization of the **Superintendent** as the authorized representative for the following federal programs: Title I, Title II Part A, Title IV Part A, REAP funds, School Food Service, Comprehensive School Reform, Reading First, and Federal Vocation Program.

(NOTE: Districts that receive additional federal funds, such as formula or competitive grants, must also assign an authorized representative for those programs and grants.)

Annually, the Board will review and approve the consolidated application for Title I, Title II Part A, Title IV Part A, and REAP funds. Upon approval, the Board will grant permission to the authorized representative to submit the application. The Board will also review and approve all competitive grant applications prior to their submission.

The Business Manager will track all Title expenditures and assure that the District follows all budgetary requirements under Title.

The Business Manager shall ensure that the budgetary requirements have been appropriately documented, submit all Title program reports to the State Title office, as required, and ensure that the district’s Title programs comply with the federal Maintenance of Effort regulation.

The Business Manager will track all items purchased with Title funds. These items will be labeled as purchased with Title funds. The District will maintain a formal equipment inventory description list for all items purchased with Title funds that are valued at \$750 or more and all computers purchased with these funds.

All employees paid with federal funds will document the time and effort they expend towards federal programs in accordance with federal law.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- HBAA-E, Title I Fiscal & Inventory Requirements

End of Nesson Public School District #2 Policy HBAA

Adopted:

[10/14]

6-2

FOOD SERVICE PROGRAM

The District participates in the National School **Breakfast and Lunch** Program. As a participant in these programs, the District assures compliance with the following requirements:

1. The District shall only claim meal reimbursement for meals in which documentation is available.
2. The District shall determine eligibility for free and reduced lunches for students not categorically eligible in accordance with current Income Eligibility Guidelines.
3. The District shall disseminate applications for free and reduced-priced meals before the start of the school year when possible or within the first week of school. Students who enroll later in the school year shall receive an application at the time of enrollment. The District shall use the Department of Public Instruction (DPI) application form for free and reduced-priced meals.
4. In accordance with federal law and the U.S. Department of Agriculture Policy, the District shall not discriminate on the basis of race, color, national origin, sex, age, disability or other status protected by law. Individuals may file a complaint of discrimination with the USDA Director at the Office of Civil Rights in Washington, D.C.
5. The names of participants for which free or reduced-priced meals may be claimed shall not be published, posted, or announced in any manner and there shall be no overt identification of any such participants by any means. To this end, the District shall establish a system of school meal payment tracking that does not overtly identify any student as receiving a free or reduced price meal/milk.
6. The District shall comply with the eligibility appeals procedure contained in 7 CFR 245.7.
7. The District shall submit any substantive amendments of this policy to the DPI prior to implementation. Such changes shall only become effective upon DPI approval.

The Board designates **Jennifer Skor, Business Manager** as the individual responsible for determining eligibility for purposes of claiming free and reduced priced meals.

Training

The District shall comply with requirements in state law related to training food service personnel.

Serving Meals to Adults

The District shall comply with DPI guidance and requirements with regard to serving meals to adults.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- AAC, Nondiscrimination & Anti-Harassment Policy
- IB-BR, Lunch Charging
- IB-E1, Free & Reduced Priced Meal Eligibility Appeals
- IB-E2, DPI Requirements & Guidance for Adult Meals
- IB-E3, Foods of Minimal Nutritional Value
- IBA, Alternative Food Service

End of Nesson Public School District #2 Policy IB

Adopted:

[01/2015]

REQUIRED

Descriptor Code: KAB

7-1

PARENTAL INVOLVEMENT

The **Nesson Public School District #2** agrees to implement the following statutory requirements:

1. The District will put into operation programs, activities, and procedures for the involvement of parents in all of its schools with Title I programs. Those programs, activities, and procedures will be planned and operated with meaningful consultation with parents of participating children.
2. The District will work with its schools to ensure that the required school-level parental involvement policies meet the Title I requirements, and include, as a component, a school-parent compact.
3. The District will incorporate this district-wide parental involvement policy into its district plan.
4. In carrying out the Title I parental involvement requirements, to the extent practicable, the District and its schools will provide full opportunities for the participation of parents with children with Limited English Proficiency (LEP), parents with children with disabilities, and parents of migratory children, including providing information and school reports in an understandable and uniform format and, including alternative formats upon request, and, to the extent practicable, in a language parents understand.
5. If the district plan for Title I is not satisfactory to the parents of participating children, the District will submit any parent comments with the plan when the District submits the plan to the Department of Public Instruction.
6. The District will involve the parents of children served in Title I schools in decisions about how the one percent of Title I funds reserved for parental involvement is spent.
7. The District will be governed by the following statutory definition of parental involvement, and expects that its Title I schools will carry out programs, activities, and procedures in accordance with this definition:
Parental involvement means the participation of parents in regular, two-way, and meaningful communication involving student academic learning and other school activities, including ensuring:
 - a. that parents play an integral role in assisting their child's learning;

- b. that parents are encouraged to be actively involved in their child's education at school;
 - c. that parents are full partners in their child's education and are included, as appropriate, in decision-making and on advisory committees to assist in the education of their child;
 - d. the carrying out of other activities, such as those described in section 1118 of the ESEA.
8. The District will inform parents and parental organizations of the purpose and existence of the Parent Information Resource Centers in North Dakota (i.e., NDPIRC in Minot, ND).

Parental Involvement Policy Requirements

- 1. The **Nesson Public School District #2** will take the following actions to involve parents in the joint development of its district parental involvement plan: [List actions]
- 2. The **Nesson Public School District #2** will provide the following necessary coordination, technical assistance, and other support to assist Title I schools in planning and implementing effective parental involvement activities to improve student academic achievement and school performance: **[List actions]**
- 3. The **Nesson Public School District #2** will convene an annual meeting, at a convenient time, to which all parents of participating children shall be invited and encouraged to attend, to inform parents of their school's participation under this part and to explain the requirements of this part, and the right of the parents to be involved.
- 4. The **Nesson Public School District #2** will offer a flexible number of meetings, such as meetings in the morning or evening, and may provide, with funds provided under this part, transportation, child care, or home visits, as such services relate to parental involvement.
- 5. The **Nesson Public School District #2** will build the schools' and parents' capacity for strong parental involvement, in order to ensure effective involvement of parents and to support a partnership among the school involved, parents, and the community to improve student academic achievement, through the following activities specifically described below:
 - a. The District will, with the assistance of its Title I schools, provide assistance to parents of children served by the District or school, as appropriate, in understanding topics such as the following:
 - i. the state's academic content standards,
 - ii. the state's student academic achievement standards,
 - iii. the state and local academic assessments including alternate assessments,
 - iv. the requirements of Title I,
 - v. how to monitor their child's progress, and
 - vi. how to work with educators

by undertaking the actions described in this paragraph **such as workshops, conferences, classes, both in-state and**

out-of-state, including any equipment or other materials that may be necessary to ensure success.

- b. The **Nesson Public School District #2** will provide parents of participating children, if requested by parents, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children, and respond to any such suggestions as soon as practically possible.
 - c. The District will, with the assistance of its Title I schools, provide materials and training to help parents work with their children to improve their childrens' academic achievement, such as literacy training and using technology, as appropriate, to foster parental involvement.
 - d. The District will, with the assistance of its Title I schools and parents, educate its teachers, pupil services personnel, principals and other staff, in how to reach out to, communicate with, and work with parents as equal partners, in the value and utility of contributions of parents, and in how to implement and coordinate parent programs and build ties between parents and schools.
 - e. The District will, to the extent feasible and appropriate, coordinate and integrate parental involvement programs and activities with Head Start, Reading First, Early Reading First, Even Start, Home Instruction Programs for Preschool Youngsters, the Parents as Teachers Program, and public preschool and other programs, and conduct other activities, such as parent resource centers, that encourage and support parents in more fully participating in the education of their children.
 - f. The District will take the following actions to ensure that Title I information related to the school and parent-programs, meetings, and other activities, is sent to the parents of participating children in an understandable and uniform format, including alternative formats upon request, and, to the extent practicable, in a language the parents can understand.
6. The **Nesson Public School District #2** will take the following actions to conduct, with the involvement of parents, an annual evaluation of the content and effectiveness of this parental involvement policy in improving the quality of its Title I schools. The evaluation will include identifying barriers to greater participation by parents in parental involvement activities (with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background). The District will use the findings of the evaluation about its parental involvement policy and activities to design strategies for more effective parental involvement, and to revise, if necessary (and with the involvement of parents) its parental involvement policies.

7. The **Nesson Public School District #2** will take the following actions to involve parents in the process of school review and improvement: **Strategic Planning, AdvancEd process, formal meetings.**

Shared Responsibilities for High Student Achievement

As a component of the school-level parental involvement policy, each school shall jointly develop with parents for all children served under this part a school-parent compact that outlines how parents, the entire school staff, and students will share the responsibility for improved student academic achievement.

Policy Adoption

This district parental involvement policy has been developed jointly with, and agreed on with, parents of children participating in Title I programs, as evidenced by meeting minutes.

This policy will be in effect for the period of one school year. The District will distribute this policy to all parents of participating Title I children.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- FDC, Education of Migrant Students
- GABAA, English Language Learners
- KAB-E, School Parent Compact

End of Nesson Public School District #2 Policy KAB

Adopted:

[04/09]

7-2

RELATIONS WITH COLLEGES AND UNIVERSITIES

The Board desires that staff and students of the District benefit in every feasible way from resources provided by the colleges and universities in our area. The Superintendent is to keep the Board informed of all opportunities for shared and cooperative services between the District and institutions of higher learning.

Professional Development & Continuing Education

The Superintendent or designee may seek out and utilize the services of college and university faculty members who are willing to serve our schools in staff development programs and as instructional resource persons. In planning post graduate and adult programs and inservice, the Board will work with area institutions of higher education so that programs will not be unnecessarily duplicated but will fit in with advanced training that these institutions offer.

Recruiting

The District will cooperate with recruiting efforts of post-secondary institutions so long as they do not unduly interfere with the school schedule. The Superintendent shall develop criteria and regulations for receiving college recruiters at district schools. Military recruiters shall be afforded the same opportunities as colleges and universities.

The District must comply with a request by a military recruiter or an institution of higher education for secondary students' names, addresses, and telephone numbers, unless a parent has "opted out" of providing such information. The District is required to provide an opt-out notice, and opt-out notification procedures are contained in the district's student educational records policy.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- DHBA, Professional Development
- FGA, Student Education Records
- FGA-E, Notice of Directory Information
- LBA, Relations with Armed Forces Recruiting Units

End of Nesson Public School District #2 Policy LAC

Adopted:

[04/09]

REQUIRED

Descriptor Code: LBA

7-3

RELATIONS WITH ARMED FORCES RECRUITING UNITS

The District will afford the same courtesies to the armed forces recruiting units as are afforded to other post-secondary educational and career entities. To minimize disruption to the educational environment, military recruiters will be subject to the same criteria and regulations as those developed by the Superintendent for college/university and career recruiters.

The District must comply with a request by a military recruiter or an institution of higher education for secondary students' names, addresses, and telephone numbers, unless a parent has "opted out" of providing such information. The District is required to provide an opt-out notice, and opt-out notification procedures are contained in the district's student educational records policy.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- FGA, Student Education Records
- FGA-BR, Student Education Records Access & Amendment Procedure
- LAC, Relations with Colleges & Universities

End of Nesson Public School District #2 Policy LBA

Adopted:

[02/09]

