

Local, State, and Federal Procedures and Policies

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Todd County School District Policy: ACA

**NONDISCRIMINATION ON THE BASIS OF SEX TITLE IX COMPLIANCE
FOR PERSONNEL AND STUDENTS CIVIL AND LEGAL RIGHTS AND RESPONSIBILITY**

Students, their parents, and employees of the Todd County School District are hereby notified that this school district does not discriminate on the basis of sex and is required by Title IX not to discriminate on the basis of sex in its educational activities and employment practices. Any person having inquiries concerning Todd County School District compliance with Title IX is directed to contact Penny Herman at the District's Human Resource Office. Ms. Herman has been designated by the Todd County School District to coordinate the school district's efforts to comply with Title IX.

Todd County School District Policy: JE

**ENROLLMENT, TRANSPORTATION, SCHOOL OF ORIGIN, AND THE
ELIMINATION OF BARRIERS FOR CHILDREN OR YOUTH
EXPERIENCING HOMELESSNESS, INCLUDING UNACCOMPANIED YOUTH**

The Todd County School District policy is to:

- Ensure the immediate enrollment of children or youth experiencing homelessness until all enrollment records may be secured, i.e. academic records, medical records, proof of residency, or other documentation.
- Keep a child or youth experiencing homelessness in the school of origin, except when doing so is contrary to the wishes of the child's or youth's parent or guardian.
- Ensure the elimination of stigmatization or segregated services and the elimination of other identified barriers for homeless children and youth.
- Provide children or youth experiencing homelessness with services comparable to services offered to other students in the school including the following:
 - Transportation Services.
 - Educational services for which the child or youth meets the eligibility criteria, such as services provided under Title 1 of the local programs, educational programs children with disabilities, and educational programs for students with limited English proficiency.
 - Programs in vocational and technical education.
 - Programs for gifted and talented students.
 - School nutrition programs

REF: [Subtitle B of Title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431) Section 722 (g)(1)(j) and Section .722(g)(3) as amended by NCL Bin 2001 Title IX Part C]

Todd County School District Policy: JIE

PREGNANT STUDENTS, MARRIED STUDENTS OR SINGLE-PARENT STUDENTS

The same educational opportunities shall be available and offered to students who are pregnant, married or a single parent as provided by File JB, Nondiscrimination/Equal Educational Opportunities.

The school district strongly encourages pregnant students to continue with their education. Any pregnant student will be allowed to stay in school if she so desires until her doctor indicates she should not. Upon notification of the doctor, the expectant mother may be excused from school. Provisions will be made for instruction during the period of absence from school. The mother will be permitted to reenter school upon the recommendation of her physician.

Todd County School District Policy: KEB

DISPUTE/COMPLAINT POLICY FOR FEDERAL PROGRAMS

A parent, student, employee, or district stakeholder who has a complaint regarding the use of federal NCLB funds and is unable to solve the issue, may address the complaint in writing to the district's superintendent. Disputes addressing the enrollment, transportation (including inter-district disputes), and other barriers to the education of children and youth experiencing homelessness are also addressed under this procedure. Parents, guardians, and unaccompanied youth may initiate the dispute resolution process directly at the school they choose, as well as at the district or district's homeless liaison's office. The parent or guardian or unaccompanied youth shall be provided with a written explanation of the school's decision including the rights of the parent, guardian, or youth to appeal the decision. Students should be provided with all services for which they are eligible while disputes are resolved.

- The superintendent will investigate, within one week, the circumstances of the complaint and render a decision, within two weeks, after receipt of the complaint.
- The superintendent will notify the complainant of the decision in writing.
- The complainant will be allowed one week to react to the decision before it becomes final.
- The complainant will either accept or disagree with the decision and will provide such acknowledgment in writing, addressed to the district superintendent.
- If the issue is not resolved with the superintendent, the complaint will be forwarded to the district's Board of Education for further review. The parent or guardian or unaccompanied youth shall be provided with a written explanation of the district's decision including the rights of the parent, guardian, or youth to appeal the decision.
- Unresolved complaints may be forwarded by the stakeholder to the South Dakota Department of Education-Federal Programs Division for review.

Todd County School District Policy: JRA

STUDENT RECORDS- FERPA

The family Education Rights and Privacy Act (FERPA) of 1974 governs the disclosure of student educational records. "Student educational records" are those records which are directly related to the student and maintained by the school. Student educational records do not include those records which are in the sole possession of the maker and are not revealed to any other individual. If that information is shared with another person, it becomes educational records subject to the parental and eligible student rights with respect to student educational records.

The term "parent" means a parent, legal guardian, or any other individual acting in the capacity of the student's parent. Both natural parents are afforded the same rights under FERPA unless there is a Court Order which restricts the rights

of the one parent. When a student turns age 18, the student is an “eligible student” and controls access and disclosure of the student’s educational records. However, if the student is living in the parent’s home and identified as a deduction for income tax purposes, parents still have the right to access student records.

“Personally identifiable student information” is confidential student information in educational records which cannot be released unless there is prior written consent by a parent or the eligible student. Only in the following situations will personally identifiable student information be released without written consent of a parent or eligible student: (1) Directory Information, (2) school officials and employees who have a legitimate educational interest, and (3) upon enrollment or application for enrollment to another educational institution.

“Directory information” is student information in educational records which may be disclosed without prior written consent unless the parent or eligible student informs the school in writing such information is not to be disclosed. The District has identified the following as Directory Information which may be disclosed without prior written consent unless informed by the parent or eligible student not to disclose any or all of the following:(1) name of the student, (2) names of the student’s parents,(3) students address and telephone number, (4) age and date of birth, (5) participation in school activities, including weight and height of member of athletic teams, (6) dates of attendance, and (7) degrees and awards received.

The district will notify parents, guardians, and eligible students of their rights under this policy, including proposed “Directory Information” annually in the *Todd County School District News*.

School officials and employees who have a legitimate educational interest may review a student’s educational records without prior written consent. A legitimate educational interest is defined as having the purpose of assisting the person who is reviewing the records to work with the student and the student’s educational program. A record of such persons reviewing the student’s permanent file shall be maintained in the file, indicating the person reviewing the file, the date, and the reason for review.

Should a student transfer, enroll, or make application for enrollment to another educational institution, upon receipt of written request for a copy of a student’s records for that educational institution the school shall provide a copy of the records requested. A record of such requests and student records provided shall be maintained by the District.

Parents and eligible students have the right to (1) access, (2) copy, (3) consent or withhold consent to disclosure of student records, and (4) request the school to amend records believed to be inaccurate, misleading, or in violation of the privacy right of the student. The District shall make available upon request, within a reasonable time and in no cases longer than 45 days, student educational records for review. Copies will be made upon request for the cost of \$.10 per page. The right to review records includes the right to receive explanations and interpretations of the student records. Should the parent or eligible student request amendment of student records, and the school decline the request, the parent or eligible student has the right to a hearing. Contesting a grade does not come within this policy unless the amendment or hearing was requested to determine whether a grade has been accurately recorded.

<p style="text-align: center;">Todd County School District Policy: JRA-R</p> <p style="text-align: center;">RELEASE OF STUDENT DIRECTORY INFORMATION</p>
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The Todd County School District designates the following as personally identifiable information contained in student’s education record. The District will release this information without prior written consent from the parent or the eligible student(student age 18 or older)unless the parent or eligible student has given the District written notice that such information shall not be disclosed without prior written consent.

Directory Information:

- 1.Student’s name
- 2.Student’s parents
- 3.Student’s address
- 4.Student’s date of birth

5. Student's class designation
6. Student's extracurricular/co-curricular activities
7. Student's achievement awards/honors
8. Student's height and/or weight
9. Student's photograph/still and video

Parents and eligible students shall receive notice annually of their right to refuse the disclosure of any or all of the directory information.

Except for the above designated directory information, all other confidential educational records shall not be released without written consent from the parent or eligible student or unless authorized or required by law.

Todd County School District Policy: JFC

STUDENT WITHDRAWAL FROM SCHOOL/DROP-OUTS

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

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

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

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

Students who are eighteen (18) years of age may withdraw from school. This meets both South Dakota and Rosebud Sioux Tribal compulsory attendance requirements.

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

Todd County School District Policy: KBC

PARENTAL INVOLVEMENT IN DECISION MAKING
ATTENDANCE CENTER SCHOOL IMPROVEMENT COUNCILS

The board is aware of the constructive role parents can play at the building level. The effective leadership, involvement, and support provided by parents is valuable to the improvement of educational programs. To this end, all Todd County School District attendance centers will ensure parental involvement through building-level school improvement councils. The administrator of each building will form a "School Improvement Council" which will

include the building administrator, representative building teachers, and parents. These councils shall function in an advisory capacity to the building administrator to address the following objectives:

1. involve parents in the joint planning, implementation and assessment of school improvement projects, including Title I projects;
2. provide the coordination, technical assistance, and other support necessary in planning and implementing effective parental involvement;
3. increase the cooperative involvement and communication among parents, teachers, administrators, and local business and civic leaders in the operation of the attendance center;
4. encourage innovative and responsible management practices in light of the social, economic, and educational needs of the community;
5. build the school's and parents' capacity for strong parent involvement through an annual evaluation of the content and effectiveness of the parental involvement policies to determine the effectiveness of the policies in increasing the participation of parents and to identify barriers to greater participation by parents, giving particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, or are of any racial or ethnic minority background; and
6. based on a consensus of members who participate regularly in meetings, use the findings of the evaluation described in six (6), above, in designing strategies for school improvement and suggesting to the superintendent, revisions in existing parental involvement policies, if necessary.

Duties of the attendance center school-improvement council members will be to

1. provide guidance on specific issues related to school change and improvement (restructuring) based on community needs and feedback from parents;
2. educate themselves about school improvement efforts underway in the district and in the attendance center and communicate their knowledge/understanding to other parents and community members;
3. actively support teachers, administrators, and other building personnel in the educational improvement process;
4. serve as a point of contact if community members have questions or concerns about the school improvement process at the attendance-center level;
5. participate in an on-going process of review and evaluation of the school improvement process; and
6. on an annual basis, review this policy to ensure that it meets the minimum standards of Title I, Section 1118; building administrators will provide a report of this annual review to the Federal Programs Director.

A copy of this policy will be published annually in the **Todd County School District News**.

Parents may maintain membership on an attendance center "School Improvement Council" as long as they have children attending that particular attendance center. Building level council's will meet on a regular basis.

Todd County School District Policy: KC

COMMUNITY INVOLVEMENT IN EDUCATION SCHOOL IMPROVEMENT COUNCIL

The board is aware of the constructive role which parent/community groups can play in the school system. The effective leadership provided by these organizations is valuable to the improvement of educational programs and community support of the schools. To this end, the board will establish a school improvement council to consist of members who are broadly representative of the school district and community. The council shall function in an advisory capacity to the school board to address the following objectives:

1. increase the cooperative involvement and communication among parents, teachers, administrators, and local business and civic leaders in the operation of our schools;
2. provide more responsibility and flexibility in the governance of our schools; and
3. encourage innovative and responsible management practices in light of the social, economic, and educational need of our communities.

Duties of council members will be to

1. provide guidance on specific issues related to school change and improvement (restructuring) based on community needs and feedback from community members;
2. educate themselves about school improvement efforts underway in the school district and communicate their knowledge/understanding to other community members;
3. actively support teachers, administrators and other district personnel in the educational improvement process;
4. serve as the point of contact if community members have questions or concerns about the school improvement process; and
5. participate in an on-going process of review and evaluation of the school improvement process; and
6. on an annual basis, review this policy.

Membership and length of service on the school improvement council will be voluntary. The council will meet on a regular basis to discuss pertinent issues. Council recommendations, based on a consensus of members who participate regularly in meetings, may be submitted in writing to the district administration for consideration

Todd County School District Policy: JEC

ATTENDANCE POLICY

School is preparation for future life. It is important that habits of regular attendance be developed. Regular attendance establishes a pattern of responsibility and commitment that will serve students throughout their lives, including post-high school education and the workplace.

Because of the importance of regular attendance to each student's educational program, the School Board declares it to be their policy that all students shall be in school every day that school is in session. The only exception shall be when student's absence is requested by the student's parent/guardian for normal and reasonable circumstances. State and Tribal law requires attendance for all children under the age of eighteen (18) unless excused because of a physical or mental condition.

Each building shall develop procedures to encourage regular attendance and discourage excessive and unreasonable absenteeism.

Todd County School District Policy: JHB

TRUANCY

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

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

Each year, as established by law, the school board will employ a truancy officer. If a school board fails to employ a truancy officer, the president of the school board will act as the truancy officer.

Todd County School District Policy: JH

STUDENT ABSENCES AND EXCUSES

A student's contribution to and achievement in class is directly related to attendance. Both students and parents must understand that students miss a vital portion of their education when they are absent from school.

While it is true that written work can be completed for make-up, class instruction or presentations, discussions, some audio-visual presentations, or student-teacher interaction can never be made up.

Absences of students may be excused by the principal on a receipt of a written, signed explanation from the parent or guardian or a documented phone call. These absences will include the following:

1. illness or quarantine;
2. bereavement or serious illness in family;
3. weather so inclement as to endanger the health of the child; and
4. for observance of major religious holidays.

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

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

Todd County School District Policy: JL

STUDENT WELLNESS POLICY

RATIONALE

The increasing rates of overweight and obesity among youth threaten to jeopardize the future health and productivity of our children. Will academic success become more and more difficult for students to attain as lifestyle choices diminish a child's ability to learn? Will the students of today be the first generation to have a shorter life expectancy than their parents? Do over nourished and malnourished children face similar adversities?

A healthy school environment goes beyond school meals in the cafeteria. Living a healthy lifestyle and maintaining a healthy weight requires a combination of healthy food choices, knowledge of nutrition, and appropriate amounts of physical activity. All foods made available on school campuses should offer children nutritious choices. Nutrition education and physical activity should be incorporated into the school day as often as possible. The healthy, nutritionally astute, and physically active child is more likely to be academically successful.

The federal government recognizes that a coordinated effort by the entire community including child nutrition professionals, school board members, parents, students, school administrators, and teachers is warranted. These efforts involve adults serving as role models and community members being informed of the policies that improve the long term health and well being of students. The local agency has a strategic role to play in improving the health and well being of children.

NUTRITION EDUCATION

At each grade level nutrition education will be offered, where possible, as part of a sequential, comprehensive, standards-based program designed to provide students with the knowledge and skills necessary to promote their health. Nutrition education will be incorporated into the school day as often as possible. The primary goal of nutrition education is to influence students' eating behaviors. Nutrition education ...

- Teaches consistent scientifically-based nutrition messages throughout the school, classroom, cafeteria, home, community and media;
- Uses the SD Health Education Standards and addresses nutrition concepts progressively in grades K through 12;
- Is part of health education classes and/or stand alone courses;
- Staff who are responsible for nutrition education will be adequately prepared and should participate in professional development activities to effectively deliver an effective program;
- Provides enjoyable, developmentally-appropriate, culturally relevant and participatory activities (e.g. contests, promotions, taste testing, farm visits, and school gardens);
- Includes the school cafeteria which serves as a "learning laboratory" to allow students to apply critical thinking skills taught in the classroom;
- Will include a building nutrition/health team to conduct nutrition education activities and promotions that involve parents, students and the community;
- Is included in the scope and sequence of the curriculum in core subjects such as math, science, language arts, social sciences and elective subjects;
- Offers information to family's, that encourages them to teach their children about health and nutrition and provide nutritious meals for their families.

PHYSICAL ACTIVITY

The primary goal for the school's physical activity component is to provide opportunities for every student to develop the knowledge and skills for specific physical activities, maintain physical fitness, regularly participate in physical activity and understand the short and long term benefits of a physically active and healthful lifestyle.

DAILY PHYSICAL EDUCATION CLASSES PRE K-12

- The physical education curriculum should demonstrate progression and sequence and be consistent with South Dakota and/or National Physical Education standards for Pre-K through grade 12.
- Students will spend at least 50% of physical education class time participating in moderate to vigorous physical activity.
- Class teacher to student ratios should be equivalent to those of other subject area classes in the school.
- All physical education will be taught by highly qualified physical education teachers.
- Student involvement in other activities involving physical activity (e.g., interscholastic or intramural sports) may not be substituted for meeting the physical education requirement.
- All students, when practical, in grades pre K-12 will receive daily physical education (or its equivalent of 150 minutes per week for elementary school students and 225 minutes per week for middle and high school students) for the entire school year. Students with disabilities, special health-care needs and in alternative educational settings will be included.

PHYSICAL ACTIVITY ACROSS THE CURRICULUM

- Opportunities for physical activity are regularly incorporated into other subject areas (e.g., math, language arts, social studies, etc.).

DAILY RECESS

- When feasible, recess should occur prior to lunch to ensure appropriate healthful food intake.
- All elementary school students will have at least 20 minutes a day of supervised recess, preferably outdoors, during which students are encouraged (verbally and through the provision of space and equipment) to engage in moderate to vigorous physical activity.
- Extended periods of inactivity, two hours or more, are discouraged. When activities, such as mandatory school-wide testing, make it necessary for students to remain indoors for long periods of time, students will be given periodic breaks during which they are encouraged to stand and be moderately active.

PHYSICAL ACTIVITY OPPORTUNITIES BEFORE AND AFTER SCHOOL

- Schools will offer activities that meet the needs, interests and abilities of all students, including boys, girls, students with disabilities, and students with special health-care needs.
- All high schools and middle schools as appropriate, will offer interscholastic sports programs.
- All elementary, middle and high schools will offer extracurricular physical activity programs, such as physical activity clubs or intramural programs.
- After-school child-care and enrichment programs will provide and encourage (verbally and through the provision of space, equipment, and activities) daily periods of moderate to vigorous physical activity for all participants.
- Schools will educate and encourage participation in community or club activities.

REWARDS/INCENTIVES/CONSEQUENCES

- Teachers and other school personnel will not use physical activity (e.g., running laps, pushups) or withhold opportunities for physical activity (e.g., recess, physical education) as punishment. These types of discipline may be used by coaches of athletic teams.
- Students will not be denied physical education/activity for purposes of make-up work.

SAFE ROUTES TO SCHOOL

- The school district will assess and, if necessary and to the extent possible, make needed improvements to make it safer and easier for students to walk and bike to school. When appropriate, the district will work together with local public works, public safety and/or police departments in those efforts.
- The school district will explore the availability of funding through the SD Department of Transportation.

USE OF SCHOOL FACILITIES OUTSIDE OF SCHOOL HOURS

- School policies concerning safety will apply at all times.
- School spaces and facilities will be available to students, staff, and community members before, during, and after the school day, on weekends and during school vacations as per Community Use of School Facilities Policy – KF.
- Schools will educate the community, including parents and staff, about utilizing the facility. These spaces and facilities also will be available to community agencies and organizations offering physical activity and nutrition programs.

WELLNESS COUNCIL/COMMITTEE

- Schools will develop a Wellness Council/Committee comprised of school personnel, community members and students to plan, implement, and assess ongoing activities that promote healthy lifestyles, particularly physical activity for all age groups within the school community. This committee will assess and review the implementation of this policy in one year and every two years after that.

OTHER SCHOOL BASED ACTIVITIES

Schools shall create an environment that provides consistent wellness messages, is conducive to healthy eating and being physically active, and contributes to forming healthy life long habits.

PROFESSIONAL DEVELOPMENT

- Schools will provide ongoing professional development and education for food service professionals and educators.
- Schools will provide nutrition and physical education for students, staff, parents, and where and when appropriate, for community members.

EATING ENVIRONMENT

- Students and staff will have adequate space to eat meals in clean, safe, pleasant surroundings and will have adequate time scheduled as near the middle of the school day as possible to eat, relax and socialize.
- Consideration should be taken for passing time, bathroom break, hand washing and socializing so as to allow ten minutes for breakfast and twenty minutes for lunch once the student is seated.
- Safe drinking water and convenient access to facilities for hand washing and oral hygiene will be available during all meal periods.

LUNCH RECESS

- Schools will be encouraged to schedule recess for elementary grades before lunch so that children will come to lunch less distracted and ready to eat. Activity before lunch also encourages nutrient intake.

REWARDS, INCENTIVES, AND CONSEQUENCES

- Food will not be withheld from students as a consequence for inappropriate behavior and poor academic performance.

- Rewards and incentives will be given careful consideration as to the messages they send to the students receiving them. Food will not be used as a reward or incentive in the classroom, but other, more appropriate rewards may be used (e.g., extra free time, pencils, bookmarks, etc..)
- Teachers and other school personnel will not prohibit or deny student participation in recess or other physical activity as a consequence for inappropriate behavior and poor academic performance, nor will they cancel recess or other physical activity time for instructional make-up time.

ACCESS FACILITIES FOR PHYSICAL ACTIVITY

- Schools will be encouraged to provide community access to the school’s physical activity facilities outside of the normal school day and/or form city-school partnerships to institute recreation programs utilizing school facilities as per Community Use of School Facilities Policy – KF.

FUNDRAISING

- School fundraising activities will support healthy lifestyles. Such activities may include physical activity (e.g., walk-a-thon), school support (e.g., selling school memorabilia) and/or academic achievement (e.g., spelling bee).

WELLNESS COUNCILS

- Buildings will organize local wellness councils comprised of parents, teachers, administrators, food service personnel, and students to plan, implement, and improve nutrition and physical activity in the school environment.

NUTRITION STANDARDS

Students’ lifelong eating habits are greatly influenced by the types of foods and beverages available to them. Foods of good nutritional content including fruits, vegetables, low-fat dairy foods, and low-fat grain products, will be available wherever and whenever food is sold or otherwise offered at school during the normal school day. Examples may include a la carte, snacks, vending machines, fund raising activities, parties and celebrations and school sponsored events.

GENERAL GUIDELINES

- Food and beverages sold or served on school grounds or at school-sponsored events during the normal school day (8:30 am to 3:30 pm) shall meet the Dietary Guidelines for Americans and the Standards for Food and Beverages as set forth in its document.
- Food pricing strategies shall be designed to encourage students to purchase nutritious items.
- Procedures shall be in place for providing to families, on request, information about the ingredients and nutritional values of the foods served.

SCHOOL MEAL PROGRAM

- The school food service program shall operate in accordance with the National School Lunch Act and the Child Nutrition Act of 1996 as amended and applicable laws and regulation of the state of South Dakota. All schools will comply with USDA regulations and state policies. Schools will ensure that reimbursable school meals meet the program requirements and nutrition standards set forth under the 7 CFR Part 210 and Part 220.
- Schools shall offer varied and nutritious food choices that are consistent with the federal government’s Dietary Guidelines for Americans. For the purpose of this policy, “Dietary Guidelines for Americans” refers to the current set of recommendations of the federal government that are designed to help people choose diets that will meet nutrient requirements, promote health, support active lives and reduce chronic disease risks.
- Menus should be planned with input from students, family members, and other school personnel and should take into account students’ cultural norms and preferences.

- Students with special dietary needs (diabetes, celiac sprue, allergies, etc.) will be accommodated as required by USDA regulation.

SNACKS

- Healthy snacks will include fresh, dried or canned fruits (in 100% juice only) and vegetables; 1% or skim milk, and grains meeting the Standards for Food and Beverages stated in this document.

FUNDRAISING

- At least 50% of the fund raising activities will not involve the sale of food and/or beverages. If food and/or beverages are offered they must meet the Standards for Food and Beverages.
- Schools will encourage fundraising activities that promote physical activity.
- The school district will make available a list of ideas for acceptable fundraising.
- The sale of food or beverages will not take place until after the end of the last lunch period.

PARTIES AND CELEBRATIONS

- Schools should limit celebrations that involve food during the school day
- Each party may include no more than one food or beverage that does not meet Standards for Food and Beverages.
- School parties may include one item which does not meet these standards.
- The district will disseminate a list of healthy party ideas to teachers and parents.

SCHOOL SPONSORED EVENTS (such as but not limited to athletic events, dances or performances)

- Healthy choices of food and beverages that meet the Standards for Food and Beverages will be encouraged at school-sponsored events outside the school day.

VENDING MACHINES/SCHOOL STORES

- Vending machines with food and beverages will not be available in elementary schools.
- All foods sold in schools must meet the Standards for Foods and Beverages.
- The following guidelines to all vending machines/school stores in the school.

Best Choices for Vending Machines and School Stores:

Granola bars, whole-grain fruit bars
 Nut mix
 Fresh fruit of all varieties
 Beef jerky (or buffalo jerky)
 String Cheese
 1% or skim milk
 Dry roasted peanuts, tree nuts and soy nuts
 Frozen fruit juice bars (no sugar or high fructose corn syrup)
 Nuts and seeds – plain or with spices
 Trail mix – plain
 Dried fruit
 Yogurt – low fat and no sugars added
 Fruit/vegetable juice (100% juice)
 Plain water
 Fruit bars

Good Choices for Vending Machines and School Stores:

Nuts with light sugar covering – honey roasted
 Individually packed fruit in natural juices only

Animal crackers and graham crackers
Low fat ice cream and sherbet bars
Low-fat pudding
Popcorn without hydrogenated fats
Fruit leather
Pretzels
Peanut butter and crackers
Baked chips, corn nuts

Todd County School District Policy: JICJ

USE OF ELECTRONIC COMMUNICATION DEVICES IN SCHOOL

Wireless communications devices allow an individual to send and receive information utilizing radio frequencies. Such devices include, but are not limited to, cell phones, cell phones with cameras, pagers, personal data assistants (PDA), laptop computers with cellular/phone/camera capability, laser pointers, or two-way radios.

Instructional use of wireless communications devices in Todd County School District shall be determined in accordance with the needs of students as jointly agreed upon by the child's parent/guardian and school. The parent and school shall in accordance with the student's individual education plan or as jointly established, agree upon the use of a wireless communication device by a student with specific educational concerns or disabilities.

Student possession of cell phones shall conform to the following restriction: During class time cell phones shall not be used to transmit or receive calls or text messages and shall be turned off or rendered incapable of activation. During the regular school day, students shall store their phone or other wireless communication device in their locker or other secured location (e.g. car). Students shall be personally and solely responsible for the security of their personal wireless communication devices.

Students may use cell phones before school, after school, going to and from school in district transportation, as well as during designated lunch periods.

The standard protocol at the schools shall be:

1. Upon the first offense, student will give the cell phone to administration. Students may pick up the phone from the office as they are exiting the building for the day.
2. Upon all subsequent offenses during the school year, an adult family member must pick up the phone from school.

Todd County School District shall not assume responsibility for theft, loss or damage of a cell phone or any personal wireless communication device. Students who violate the above restrictions shall be deemed to have created a disruption to the instructional environment and be subject to appropriate disciplinary action.

Todd County School District Policy: JICH

**ALCOHOL, DRUGS, AND CONTROLLED SUBSTANCES
(INCLUDING ALL TOBACCO PRODUCTS) BY STUDENTS (DRUG-FREE SCHOOLS)**

The board recognizes its share of the responsibility for the health, welfare, and safety of the students who attend the district's schools. The board is concerned about the community problem of alcohol and drug abuse and further recognizes that the use of tobacco, alcohol and/or narcotic drugs, depressants, inhalants, and other controlled

substances illegally and/or inappropriately is wrong and constitutes a hazard to the positive development of students. Therefore, the district's "no use" policy on tobacco, alcohol and drugs requires:

1. age appropriate, developmentally-based tobacco, drug and alcohol education and prevention programs for all students in all schools operated by the school district, from early childhood through grade twelve (12);
2. the provision of counseling services that will make it possible for tobacco, alcohol and drug-troubled students to seek and get counseling any time without fear of reprisal and with assurance of the confidentiality of the counseling;
3. emergency health and safety care which may be necessary in order for students under the active influence of tobacco, alcohol and drugs at school or in connection with any school activity;
4. cooperation by school officials with parents or guardians of students suspected or reported to be illegally involved with tobacco, alcohol or controlled drugs; this requires that parents be notified and conferences with them be arranged when suspicion of tobacco, alcohol and/or drug abuse in any form is sufficiently founded; this is intended as a time when school officials may work with parents or guardians and/or law enforcement agencies;
5. given reasonable suspicion of use or possession of alcohol a device known as a Passive Alcohol Sensor (PAS) may be used to check for breath alcohol and can be used with or without a subject's direct participation. All due process precautions will continue to be in place. Given reasonable suspicion of use or possession, there will be established step followed.
6. students are prohibited from use, sale, possession, distribution, and/or being under the influence of tobacco, alcoholic beverages or illegal or controlled drugs on or in school properties or other areas when regular school functions are in session; this includes the prohibition of tobacco, alcohol and/or illegal or controlled drugs at any interscholastic athletic contest, on any field trip, or any other board approved trip or activity; violation of this provision must be reported to the proper law enforcement agency; the first violation of this provision may result in suspension from school; subsequent violations could subject the student to expulsion, as may be determined by the board; specific consequences are enumerated in attendance center handbooks;
7. all students participating in activities sanctioned by the South Dakota High School Activities Association will be responsible for following their training rules. The training rules follow: "During the school year and the season of practice, play, or rehearsal, regardless of the quantity, a student shall not 1) use a beverage containing alcohol, use tobacco, or use or consume, have in possession, buy, sell, or give away marijuana, or any controlled substance. It is not a violation for a student to be in possession of a legally defined drug specifically prescribed for the student's own use by her/his doctor;
8. compliance with these statements of conduct and statements of disciplinary sanctions is mandatory;
9. a copy of this policy will be published annually in the Todd County School District Newsletter, and a copy of the newsletter will be provided to every student and/or his/her parent/guardian; and
10. an annual review of this policy will be made during each school year by the Drug Free Schools Advisory Council to determine the policy's effectiveness, to recommend changes to the policy to the Board of Education if they are needed. A copy of the review along with a copy of the appropriate Drug Free Schools Advisory Council meeting minutes will be kept on file in the superintendent's office.

Todd County School District Policy: GBAA

SEXUAL DISCRIMINATION AND HARASSMENT

It is the district's policy that sexual harassment is illegal, unacceptable and shall not be tolerated; that no employee or student of the school district may sexually harass another. Any employee or student will be subject to disciplinary action including possible termination or expulsion for violation of this policy.

DEFINITION OF SEXUAL HARASSMENT

Sexual harassment is any unwelcome sexual advance(s), requests for favors and/or other verbal, physical and/or visual contact of a sexual nature when

1. submission is made either explicitly or implicitly a term or condition of an individual's employment or education;
2. submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
3. the conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment or education, or of creating an intimidating, hostile, or offensive employment or educational environment.

EFFECT OF SEXUAL HARASSMENT

1. The effect of the behavior on the victim, regardless of the intent of the accused, determines whether or not harassment has occurred.
2. Sexual harassment may, among other things, affect the victim in the following ways:
 - a. work or academic performance may decline;
 - b. the employee or student may attempt to avoid work or (a) certain class(es) or location(s); and/or
 - c. emotional distress may become evident.

CREATION OF A HOSTILE ENVIRONMENT

An "intimidating, hostile, or offensive employment or educational environment" means an environment in which

1. unwelcome, sexually-oriented jokes, innuendoes, obscenities, pictures/posters, leering, or any action with sexual connotation makes a student or an employee feel uncomfortable; or
2. any aggressive, harassing behavior in the work place or school that affects working or learning, whether or not sexual in connotation, and is directed toward an individual because of his/her sex.

EXAMPLES OF SEXUAL HARASSMENT

1. Persistent requests for dates or other social activity when such requests are refused.
2. Grabbing, touching, or brushing another person when that person verbally or physically objects, or grabbing, touching, or brushing another who may not be mature enough to voice objection to the harasser, when the conduct is directed toward an individual because of his/her sex.
3. Displaying sexually suggestive objects, pictures, cartoons, or posters where others may see them.

4. Circulating sexually suggestive letters, notes, or other such written material.
5. Offering or implying special treatment in employment or school in hope of, or in exchange for, sexual favors.
6. Physical conduct such as pushing, impeding, or blocking movement because of the sex of the victim.
7. Hazing or daring to perform unsafe work or learning tasks because of the sex of the victim.
8. Unwelcome, persistent leering or staring at another person because of his/her sex.
9. Making lewd or offensive sexually oriented comments or suggestions.

REPORTING INCIDENTS OF SEXUAL HARASSMENT

1. Students who believe they have been or are being sexually harassed should discuss the situation with their parent(s) and/or contact a trusted teacher, counselor, or other school employee, or their principal, or the district Title IX Coordinator. Any employee who receives complaints of student sexual harassment should take the following steps:
 - a. Listen to and carefully discuss the student(s) complaints.
 1. Obtain as much detail as possible about the described incident or incidence.
 2. Assure the student that you are concerned about what may be happening to them.
 3. Do not pass judgment, AT ANY TIME, as to the accuracy of the accusations unless you were a witness to them. (If you were a witness, you may be asked to tell what you saw or heard, but only to proper authorities.)
 4. Determine if the student wants you to report his/her complaint to a counselor, principal, or other appropriate authority. This should be done together at the earliest possible time.
 5. Should the student prefer not to discuss the complaint with anyone else, make a written record of your conversation including date, time, name of student and accused, and a description of the incident(s) as described to you. Then, without disclosing identities, discuss the situation with your school principal and the Title IX Coordinator.
 - b. Discussion and decision making with proper authorities:
 1. The principal and Title IX Coordinator, depending upon the severity of the situation, will decide what action to take after considering the following:
 - a. whether or not the accusations include possible criminal activity such as molestation or sexual battery or similar contact. In such cases, immediate contact with the State Department of Social Services is required;
 - b. whether or not similar or other accusation of harassment have been made against the accused.
 2. If there is strong belief that the matter needs to be further pursued, the person receiving the complaint should re-contact the accuser(s) and request that he/she allow the person receiving the complaint to reveal the identities of the parties involved to the

Title IX Coordinator. At the least, obtain permission for the Title IX Coordinator to have a discussion with the student's parents.

c. Confidentiality

Because of legal requirements, do not discuss the complaint with the accused or with any person other than proper authorities who have a direct need to know.

2. Parents or guardians of students who have brought a complaint of sexual harassment are encouraged to assist the Title IX Coordinator in resolving the situation as quickly and fairly as possible. Should the parents decide that has not occurred, at any time during the period of complaint resolution, they may obtain a copy of the Title IX grievance procedure from the superintendent's office and file a formal grievance, accordingly.
3. Employees who believe they have been or are being sexually harassed should inform the individual that his/her behavior is unwelcome, offensive, or inappropriate. Should the behavior continue
 - a. discuss the incident(s) with your immediate supervisor or that person's immediate supervisor;
 - b. keep record of the discussion and the incidents leading up to the discussion. Include dates, times, places, witnesses, and notes or letters or other materials the accused may have generated; and
 - c. contact the district Title IX Coordinator.
4. Any person who witnesses sexual harassments behavior inflicted upon another should report it to proper school authorities.
5. In all cases, complainants are permitted and encouraged to have a friend, parent, or guardian, or advisor present with them during any stage of the complaint.

INVESTIGATION AND ACTION PROCEDURE

1. After receiving a verbal or written report or formal grievance, which ever may occur, first, the Title IX Coordinator or his or her designee shall conduct an investigation and make written recommendation within fourteen (14) working days to the superintendent.
2. In conducting the investigation, the Title IX Coordinator will consider
 - a. what is the relationship between the accused and the accuser;
 - b. the exact nature of the alleged harassment;
 - c. how frequently the behavior occurred;
 - d. was the behavior directed at one or more persons;
 - e. how was the behavior reported;
 - f. were there witnesses;
 - g. have other complaints been brought against the same person; and
 - h. would the behavior have been offensive to any reasonable employee or student.
3. To answer the above items the Title IX Coordinator will
 - a. discuss the complaint separately with both the accused and the accuser;
 - b. interview any and all witness to the incidence;
 - c. interview others who may have been victims of the accused;
 - d. interview coworkers of the accuser to determine if other witnesses exist and to determine if work or school performance has declined since the incidence;
 - e. interview others to whom the victim may have related the events;

- f. interview principal or other supervisors to determine if there is an awareness of this or any other similar incidence; and
 - g. consider the facts of the allegation, case law, state and federal laws and regulations, and this policy in consultation with the district's attorney.
4. The Title IX Coordinator will then make a recommendation to the superintendent as to the
- a. validity of the charges and
 - b. what action, if any, should be taken to resolve the complaint.

Action may, but shall not be required to, include progressive discipline up to and including termination, suspension or expulsion, and/or counseling or other rehabilitation effort.

- 5. Upon receipt of a recommendation from the Title IX Coordinator including that the alleged harassment did occur, the superintendent may take action based on the recommendation of the coordinator or may conduct a further investigation of the charges and within fourteen (14) days make a decision on further proceedings.
- 6. Pending completion of any investigation, the superintendent may take any action necessary to protect the alleged victim, other employees, or other students, consistent with requirements of applicable regulations and statutes up to and including suspension of the accused.
- 7. If a formal Title IX grievance is filed that procedure will govern.

PROHIBITION AGAINST RETALIATION

The district strictly prohibits retaliation against any employee or student because he or she has made a report of alleged sexual harassment, or against any employee or student who has testified, assisted, or participated in the investigation of a report. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or adverse pressure, including the accused discussing the allegations directly with the accuser except where such discussion has been arranged and facilitated by the Title IX Coordinator. Retaliation is itself a violation of federal and state laws prohibiting discrimination and may lead to separate disciplinary action against the offender.

Todd County School District Policy: KE

PUBLIC CONCERNS AND COMPLAINTS

Constructive criticism of the schools will be welcomed by the board when it is motivated by a sincere desire to improve the quality of the educational program or to equip the schools to do their tasks more effectively.

Whenever a complaint is made directly to the board as a whole or to an individual board member, the individual or group involved will be advised to take their concern to the appropriate staff member.

The board believes that complaints and grievances are best handled and resolved administratively as close to their origin as possible, and that the staff should be given every opportunity to consider the issues and attempt to resolve the problem prior to involvement by the board. Therefore, the proper channeling of complaints involving instruction, discipline, or learning materials will be as follows:

- 1. principal/director;
- 2. superintendent; and then the
- 3. Board of Education.

If a complaint, which was presented to the board and referred back through the proper channels, is adjusted before it comes back to the board, a report of the disposition of the matter will be made to the board and then placed in the official files.

The board expects the professional staff to receive complaints courteously and to make a proper reply to the complainant.

Matters referred to the superintendent and/or board should be in writing and should be specific in terms of the action desired.

Exceptions to this policy will be made when the complaints concern board actions or Board operations only.

PROHIBITION AGAINST RETALIATION

The district strictly prohibits retaliation because of a complaint being filed. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or adverse pressure. Retaliation is itself a violation of federal and state laws prohibiting discrimination and may lead to separate disciplinary action against the offender if he/she is an employee or student within the Todd County School District.

Todd County School District Policy Reference: ACA-R
GRIEVANCE PROCEDURE TO MEET THE REQUIREMENTS OF TITLE IX

Title IX of the 1972 Education Amendments prohibits discrimination on the basis of sex. It states that: "No person . . . shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance. . . ."

DEFINITIONS

A "grievance" under **Todd County School District Policy ACA** shall mean a complaint which has been filed by a student or, on behalf of the student by the parents, or by an employee, which alleges discrimination on the basis of sex contrary to the rules of Title IX.

A "grievance procedure" is the administrative procedure for handling of a complaint of discrimination.

An "aggrieved person" is the person filing the complaint.

PURPOSE

The primary purpose of this procedure is to secure at the earliest level possible the equitable solution to a complaint.

LEVEL I

An aggrieved person shall first attempt to resolve the complaint informally by discussion with the teacher, principal or supervisor. If informal discussion does not resolve the complaint, the complaint shall be submitted in writing within thirty (30) calendar days of the alleged incident of discrimination' to the Title IX Coordinator.

LEVEL II

The Title IX Coordinator shall attempt to resolve the complaint with the immediate supervisor or other person responsible for the discrimination. This shall be completed within thirty (30) calendar days of the filing of the written complaint with the Title IX Coordinator.

LEVEL III

If the aggrieved person is not satisfied with the disposition of the grievance at Level II, he or she may transmit a letter to the superintendent of the school district with a statement of reasons why it is being appealed. At the next regular meeting or specially called meeting of the board, the Board of Education shall consider the grievance or may designate a committee to hold a hearing or otherwise investigate the grievance. The aggrieved person and the administration an/or staff member(s) shall have the right to present their positions to the board. The Board of Education shall make a final decision thereon at the following regular or special board meeting.

<p style="text-align: center;">Todd County School District Policy: JICA</p> <p style="text-align: center;">STUDENT APPEARANCE & DRESS CODE</p>
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The responsibility for the dress and appearance of students enrolled in the Todd County School District primarily rests with parents/guardians and the students themselves. However, some student apparel may not be appropriate to wear to school even though that same apparel may be appropriate to wear in other settings. In general, students shall not dress or groom themselves in a manner that causes a disruption to the orderly operation of the school.

Our main purpose as an educational institution is to assist students in presenting themselves in a manner that promotes a positive and productive school environment, personal pride, and academic success. The school, as a center of learning, shall provide for the development of habits and attitudes conducive to acceptable wearing apparel, and good grooming. Wearing apparel shall not be of the type, that would detract from the primary purpose of the school, which is academic instruction, nor shall accessories carried by children to school be disrupting to the conduct of the school or hazardous to student welfare.

Visible body markings such as hickeys are not acceptable and must be covered. Student's dress shall be modest, neat, clean, and in keeping with health, sanitary, and safety practices.

Students are required to wear appropriate clothing as set forth in this Policy. The Board adopted "Dress Code Policy" is based on the situation and the grade level of the students. Inappropriate clothing and appearance are disruptive to the school program and Principal's or Principal designees shall enforce compliance with this policy by those students within their jurisdiction.

The Principal or the Principal's designee has the final authority for interpreting whether a student's apparel conforms to the dress code. When it is determined that a student's clothing does not comply with the dress code, a parent/guardian will be asked to bring an appropriate change of clothes to school. The student may, with parental/guardian permission, be sent home in order to change clothes. If the student is unable to change into appropriate clothing, the school will provide school issued top and bottoms for the student to change into; ample time will be given for the student to change back into their personal clothing at the end of the school day. In addition, the student will also receive a disciplinary consequence for violating the school's dress code policy.

Violations of this Policy:

Violations of this policy shall be addressed with the following consequences:

First Offense:

A warning will be issued to the student and will be recorded as a first offense.

Parent/guardian of student will be called asking them to bring an appropriate change of clothing.

The student with parental/guardian permission may be sent home in order to change clothing. Any class time missed will be an unexcused absence.

If arrangements cannot be made for the student to change into appropriate clothing, the school will then issue the student an appropriate change of clothing, giving the student ample time at the end of the school day to change back into their own personal clothing.

Second Offense:

Parents/Guardians will be notified that their student has had a second offense of not following the proper dress code.

The student will be given an appropriate change of clothing, giving the student ample time at the end of the school day to change back into their own personal clothing.

The student will report to the In-School Suspension Room for the school day.

If for any reason a student refuses any of the above consequences the parents/guardians of that student will be notified and the student will be sent home that day as an unexcused absence. The parents/guardians of said student will be required to accompany their student back to school the following school day.

Third Offense:

Parents/Guardians will be notified that their student has had a third offense of not following the proper dress code; student will then be subject to Short Term Suspension.

This policy shall apply to students at all times when they attend school or any school-sponsored event.

This policy shall be applicable in its entirety, except where a specific section may be directed toward a select group of students. All persons subject to this policy shall comply with all sections of it.

General Dress Code Policy Requirements:

- Students shall wear clothing of appropriate size as determined by the Principal or Principal's designee.
- Shirts or blouses are not required to be tucked into the waistband of the pants, shorts, or skirt. Sleeveless shirts or blouses are allowed. However shirts or blouses will not be tied up at the waist or midriff; upper torso, midriff, and undergarments may not be exposed. The size of shirts and blouses shall be appropriate to the student's body size and shall not be unduly oversized or undersized. Shirts and blouses shall not extend past the tip of the fingertips when both arms are extended by the side of the student. Spaghetti straps and tank tops with appropriate neck lines, may be worn with an outer shirt covering, but may not be worn alone; halter-tops, midriff tops, tube tops, or clothing that exposes the upper torso are not allowed. The Principal or Principal's designee determination as to whether or not shirts and blouses are appropriate to the student's body size shall be determinative and final.
- Pants/Jeans shall be worn so the waistband is worn at the waist and not below the waist. The size of the pants/jeans shall be appropriate to the student's body size and shall not be unduly "oversized and/or undersized." Belts are optional and, if worn, must be of appropriate size and fastened in a customary manner. The Principal or Principal's designee determination as to whether or not pants/jeans and/or belts are appropriate to the student's body size or whether pants/jeans and/or belts are unduly "oversized and/or undersized" shall be determinative and final. The width of the legs of pants shall not be unduly "oversized" and shall be appropriate in consideration of the particular student's body size. The Principal or Principal's designee determination as to whether or not the width of pants/jeans with regard to the particular student is unduly "oversized" shall be determinative and final. The length of pants/jeans will not be of length that they drag on the ground/floor. The Principal or Principal's designee determination as to whether or not the length of pants/jeans is unduly "oversized" shall be determinative and final.
- Capri pants/jeans shall be worn so the waistband is worn at the waist and not below the waist. The size of the Capri pants/jeans be appropriate to the student's body size and shall not be unduly "oversized and/or undersized." The Principal or Principal's designee determination as to whether or not the Capri pants/jeans are appropriate to the student's body size or as to whether or not Capri pants/jeans are unduly "oversized and/or undersized" shall be determinative and final.
- The hem of girl's skirts or dresses shall not be shorter than the tip of the fingertips when both arms are extended by the side. The Principal or Principal's designee determination as to the appropriate length of skirts and dresses shall be determinative and final.

- All students shall wear shoes/footwear.

Outer Garments:

- The Dress Code Policy shall not prohibit students from wearing coats, jackets, hats, gloves, scarves, caps, etc., to school when necessary due to weather conditions or for other legitimate reasons. Outer garments shall be of appropriate size for the students and shall not be overly baggy. Outer garments will be placed in the student's locker when they first arrive and will stay there unless needed for lunch period or class rotation in outer buildings. Upon return to the main school building items will need to be placed back into student's locker until the student leaves at the end of the school day. If a student is uncomfortable with the temperatures in the building, he/she should dress accordingly.
- Clothing with hoods may be worn before and after school, but not during the school day. Violations will incur the same consequences as other dress code violations.

Shorts:

- Students may wear hemmed walking shorts, athletic shorts or Bermuda shorts that fit at the waist and shall not be shorter than the tip of the fingertips when both arms are extended by the side. The Principal or Principal's designee determination as to the appropriate fit and length of the shorts shall be determinative and final.

Unacceptable Attire:

- Wearing and displaying any items that identify gang activity or gang association as guided by the Rosebud Sioux Tribe definition of "street gang."
- Clothing encouraging the use of drugs, alcohol, or violence.
- Clothing associated with discrimination of the basis of age, color, handicap, national origin, marital status, race, religion, or sex.
- Clothing (or lack thereof) exposing any portion of the torso or upper thighs such as see-through garments, mini-skirts, or mini-dresses, halters, or backless dresses. Tube tops, tank tops, spaghetti straps or shirts and blouses that have necklines so low that they are provocative, are not allowed. The mid section of the body shall have no skin exposed at any time.
- Clothing deemed by school officials to be so revealing as to disrupt, or potentially disrupt, good order and the education program.
- Clothing items which compromise modesty.
- Clothing or outer garments traditionally designed as undergarments such as boxer shorts, under-shirts, bras, bloomers, tights, or hosiery (except where tights or hosiery are worn appropriately).
- Spandex-style "bicycle" shorts, cut-off jeans, frayed jeans or pants, cut-off sweat pants, short-shorts, running shorts, and see-through boxer-type shorts are not permitted.
- Overalls with one or both straps unfastened. (*Overalls are not allowed in the high school or middle school*)
- Buckles with any gang, drug, alcohol, tobacco signs or symbols, cut out letters or numbers.
- Chains such as security and dog chains or any other chains attached to the clothing.
- Jewelry items that attract attention and are disruptive to the learning process including spiked jewelry.
- Sunglasses and gloves.
- Caps, stocking caps, hoods, scarves, hairnets, or bandanas.
- Clothing, footwear or jewelry that is construed by the Principal or Principal's designee in such person's reasonable judgment to be hazardous or dangerous to health or safety.
- Hooded sweatshirts are not allowed to be worn during the school day.

Vocational-Technical Centers:

For safety and employment training purposes, students enrolled at the vocational-technical centers will wear the uniforms of the program. If there is no uniform, this policy shall apply.

Alternative Education/Intervention Center Programs:

Students assigned to an Alternative Education/Intervention Center Program shall be required to dress in accordance with the Dress Code Policy.

Exemptions to the Dress Code Policy:

Exemptions to the Dress Code Policy shall be permitted by the Principal upon appropriate documentation. In the event the wearing of clothing in compliance with the Dress Code violates a student’s sincerely held religious belief, or materially impacts a student’s documented medical condition, then such student and the student’s parent/guardian shall submit a signed affidavit setting forth the religious or medical issue and the requested exemption to the Dress Code Policy. The Principal may request additional documentation to substantiate the requested exemption and the student and student’s parent/guardian shall provide the additional documentation as requested. The Principal, within the reasonable exercise of his or her discretion, shall determine if an exemption to the Dress Code Policy is appropriate, and communicate that decision to the student and student’s parent/guardian.

School Board Adoption of Dress Code Policy:

Subject to the terms and conditions set forth below the School Board has adopted this Policy pertaining to all students as follows:

Findings:

Based upon evidence presented to the Todd County School Board, the recommendations of the Superintendent and the Superintendent’s staff, and the opinions of parents/guardians, educators, and others with knowledge, experience and expertise regarding student behavior and discipline, the Todd County School Board finds that public schools in Todd County may realize significant benefit by the adoption of a uniform dress code policy. The Board also finds that other public schools throughout the country have employed student dress code policies and that this promotes improved school spirit with students having greater pride in their school’s appearance and greater respect for the school facilities.

Purpose and Intent:

In adopting this Policy it is the School Board’s purpose and intent to enable all of the public elementary, middle and high schools in Todd County to experience improved school spirit, with students having greater pride in the appearance of their schools and greater respect for school authority and school facilities.

Scope:

This Policy shall apply to all students enrolled in any public school under the jurisdiction of the School Board of Todd County, South Dakota.

***NOTE:** The decision as to whether or not clothing or the appearance of a student is a violation of this Policy shall be made by the Principal, and such decision shall be determinative and final as to the matter being decided. The exercise of this discretion shall be subject to legal standards for the reasonable exercise of discretion by the school administrators, but to the greatest extent permitted by law deference shall be afforded to school officials in their exercise of discretion in the implementation of this Policy. This provision regarding discretion of school officials shall apply to each subsection and portion of the entire Policy.

Todd County School District Policy IIBG
Internet Acceptable Use Policy

Internet access is now available to students and staff in the Todd County School District.

Todd County School District Board of Education believes the Internet offers vast, diverse, and unique resources to students and staff. The goal in providing this service is to promote educational excellence in schools by facilitating resource sharing, innovation, and communication.

The Internet is an electronic highway connecting thousands of computers all over the world and millions of individual subscribers. With access to computers and people all over the world also comes the availability of material that may not be considered to be of educational value in the context of the school setting. Todd County School District has taken precautions to restrict access to controversial materials. However, on a global network it is impossible to control all materials and an industrious user may discover controversial information. The Todd County School District Board of Education firmly believes that the valuable information and interaction available on this worldwide network far outweighs the possibility that users may procure material that is not consistent with the educational vision and mission of the district.

Todd County School District Internet users, like traditional library users, are responsible for their actions in accessing on-line resources. Before faculty, staff, students, or community members will be provided access to the Internet, they must complete a mandatory workshop. The purpose of the workshop is to educate users on proper Internet conduct.

The smooth operation of the network relies upon the proper conduct of users, who must adhere to strict guidelines. The administration will formulate the necessary regulations to carry out this policy of acceptable Internet use and the consequences if violations occur.

Rosebud Sioux Tribe

STREET GANG ACTIVITY AND MEMBERSHIP

5-31-3 Any person who is a member of a street gang or involved in street gang activity.

“STREET GANG”: A formal or informal on-going organization, association or group of three or more persons who have a common name or common identifying signs or symbols and have members or associates who, individually or collectively, engage in or have engaged in a pattern of street gang activity.

“STREET GANG MEMBER”: A person who engages in a pattern of street gang activity and who meets two or more of the following criteria:

- A. Admits to gang membership; or
- B. Is identified as a gang member by a documented reliable informant; or
- C. Resides in or frequents a particular gang’ area and adopts its style of dress, it’s use of hand signs or its tattoos and associated with known gang members; or
- D. Is identified as a gang member by an informant of previously untested reliability if such identification is corroborated by independent information; or
- E. Has been arrested more than once in the company of identified gang members for offenses which are consistent with usual gang activity; or
- F. Is identifies as a gang member by physical evidence, such as photographs or other documentations; or
- G. Has been stopped in the company of known gang members for or more times

“PATTERN OF STREET GANG ACTIVITY”: The commission, attempted commission or solicitation by any member or members of a street gang or two or more offenses on separate occasions within a three year period for the purpose of furthering gang activity as evidenced by the following:

- A. Intentionally organizing, managing, directing or supervising a criminal street gang with the intent to promote or further the criminal objectives of the street gang; or
- B. Knowingly enticing and inducing others to engage in violence or intimidation to promote or further the criminal objectives of the street gang; or
- C. Furnishing advice or direction in the conduct, financing or management of a street gang’s affairs with the intent to promote or further the objectives of a street gang; or
- D. Hiring, engaging or using a minor for any conduct preparatory to or in furtherance of any offense in this sections; or

- E. Committing, attempting to commit or soliciting one or more criminal offenses prescribed by this ordinance or the Tribal Law and Order Code with the intent to promote or advance the objectives of a street gang.

5-21-5 DRIVE BY SHOOTING

Discharges a firearm or causes the propulsion of any explosive or explosive device from a motor vehicle whether the vehicle is moving or stopped at the time of the discharge or propulsion.

5-31-6 PARTICIPATING IN DRIVE-BY SHOOTINGS

Any person who of his or her own will is physically present in a vehicle used in a drive-by shooting

5-31-7 GANG RELATED CONGREGATIONS

Any person, known to be a street gang member, as defined above, who is found loitering in a public place with two or more other persons and who fails to remove themselves from the area when ordered by a police officer, property owner of school authorities is in violation of this ordinance.

ROSEBUD SIOUX TRIBE
ORDINANCE NO. 2007-07
Adopted by: Resolution No. 2007-07

5-31-8 RECRUITING A GANG MEMBER IN THE FIRST DEGREE

A person commits the crime of recruiting a gang member in the first degree if the person uses or threatens the use of force against a person or property to induce a person to participate in a criminal street gang or to commit a crime on behalf of a criminal street gang.

Recruiting a gang member in the first degree is a Class A Crime.

5-31-9 RECRUITING A GANG MEMBER WITH FORCE

A person commits the crime of recruiting a gang member with force if the person is 18 years of age or older and with force or threat of force encourages or recruits a person who is under 18 years of age to participate in a criminal street gang.

Recruiting a gang member with force is a Class A crime.

5-31-10 RECRUITING A GANG MEMBER WITHOUT FORCE

A person commits the crime of recruiting a gang member without force if the person is 18 years of age or older and without force or threat of force encourages or recruits a person who is under 18 years of age to participate in a criminal street gang.

Recruiting a gang member without force is a Class B Crime.

5-31-11 SEXUAL IMPOSITION

A person commits the crime of sexual imposition if the person engages in a sexual act or sexual contact with another or who causes another to engage in a sexual act or sexual contact, whether consensual or not, as part of an induction, initiation, ceremony, pledge, hazing, or qualification to become a member or an associate of any criminal street gang or as a part of a release from a criminal street gang.

Sexual imposition is a Class A Crime.

5-31-12 PROHIBITING ENCOURAGEMENT TO MINORS TO PARTICIPATE IN A CRIMINAL STREET GANG

A parent, guardian, friend or any other relative commits the crime of encouraging

minors to participate in a criminal street gang if the parent, guardian, friend of any other relative allow and/or encourage minors to participate in any criminal street gang.

Encouraging minors to participate in a criminal street gang is a Class A Crime.

Todd County School District Policy: JICB (GBAB)

BULLYING AND HARASSMENT

PURPOSE:

The Todd County School District is committed to providing a safe learning environment for all students, employees, volunteers and community that is free from harassment, intimidation or bullying.

Bullying is considered to be severe, persistent, or pervasive in that it creates an intimidating or threatening environment and has the effect of substantially disrupting the orderly operation of the school. Bullying and harassment are major distractions from learning and both the victim and the perpetrator suffer significant negative consequences when engaged in this type of anti-social behaviors. The learning experience of victims can suffer, and fear can lead to chronic absenteeism, truancy, or even dropping out of school.

DEFINITION:

Bullying is defined as the act of one or more individuals intimidating one or more persons negatively and over time through verbal, physical, mental, cyber, or written interactions and those persons have difficulty defending themselves. Bullying may take many forms and can occur in any setting. It can create insecure and unwarranted anxiety that will affect the learning and social environment in a school.

Examples of bullying include, but are not limited to:

Intimidation – either physical or psychological

Threats of any kind – stated or implied

Assaults on students – including those that are verbal, physical, psychological and emotional

Attacks on student property

Cyber text messaging

Cyber stalking is the act of communicating words, images, or language through the use of electronic mail or electronic communication directed at or about a specific person causing substantial emotional distress to that person and serving no legitimate purpose.

Cyber bullying is the willful and repeated harassment and intimidation of a person through the use of digital technologies including but not limited to email, blogs, social website, chat rooms and instant messaging.

Harassment is defined as threatening, insulting, and dehumanizing gestures, use of technology, computer software or written, verbal or physical conduct directed against a student or employee that places a student or employee in reasonable fear of harm to his or her person or damage to his or her property. Harassment has the effect of substantially interfering with a student's education performance or an employees work performance opportunities or benefits. It also has the effect of substantially negatively impacting a student or employee's emotional or mental well being and substantially disrupting the orderly operation of the school.

OBJECTIVES:

It is expected that all staff send a clear message to students and staff that bullying in the schools, on school grounds, on the buses or at school sponsored activities will not be tolerated and will be grounds for disciplinary action up to and including suspension and expulsion for students and termination for employees.

The District will promptly and reasonably investigate allegations of harassment, including bullying. The principal or his/her designee will be responsible for handling all complaints by students alleging harassment, including bullying. School staff must take action on a report of harassment/bullying within three days from receipt of report.

Each school or facility will have a structured reporting system in place to report any act of bullying. The staff is required to and must report in writing any allegation of bullying or violations of this policy to the principal or his/her designee. Failure to report will result in disciplinary action. The administrator or his/her designee shall document in writing and on the IC or SWIS Program all complaints regarding bullying/harassment to ensure that the problems are appropriately addressed in a timely manner. Members of the school community who have credible information that an act of bullying/harassment has taken place may file a report of bullying as a witness, or as a victim.

The procedure of investigating school-based bullying/harassment may include the administrator, counselor, or designated staff. The person shall begin a thorough investigation and interview with the complainant, the accused, and any witnesses within two school days of receiving a notification of complaint. During the investigation this person may take any action necessary to protect the complainant and other students or employees. A decision by the administrator shall be completed within ten (10) school days about the validity of the allegations and about any corrective action to be taken. The administrator will inform all relevant parties in writing of the decision and the right to appeal. A copy of the decision will be sent to the original reporting person.

No retaliation of any kind is permitted in connection with an individual having made a bullying/harassment complaint and if it occurs it shall be deemed an additional act of bullying/harassment.

Members of the community who have credible information that an act of bullying/harassment has taken place may file a report of bullying/harassment as a witness, or as a victim.

Disciplinary consequence for a person who commits bullying/harassment will follow the written policy, which may range from a positive behavioral intervention, to suspension and or expulsion or termination.

POLICY:

The following will be the set discipline policy that will be enforced by each school and followed through by the Todd County School Board of Education.

- ◆ First Offense: One day in school suspension and a plan must be created outlining how the behavior will change. The plan will be reviewed and signed by all parties involved. The plan will also list supports that student/staff need from the school.
- ◆ Second Offense: 3 days suspension (out of school). Administrator or his/her designee will work with student exhibiting bullying/harassing behavior and the parents/guardians to review, update and modify behavior plan.
- ◆ Third Offense and beyond: Any further bullying offenses will result in recommendation for long-term suspension or expulsion from school, pending a board hearing. Referrals will be filed with RST Children’s Court Services and/or the South Dakota Department of Social Services.

<p>Todd County School District Policy: JK</p> <p>STUDENT DISCIPLINE</p>

DEFINITION

Discipline is the positive direction of behavior toward established standards of conduct, fully understood and based upon reason, judgment, and the rights of others.

Ideal discipline is self-directed and self-controlled. Schools, communities and parents share the responsibility for helping students develop self-discipline.

Discipline is necessary to assure an orderly environment in which each person may live and learn to his/her full capabilities in harmony with others.

When self-control falters and self-discipline fails, disciplinary forces outside the individual must be imposed to protect the rights of others.

In the Todd County schools, as in the communities at large, certain rules and procedures are established to guide students through constructive growth and into mature adulthood. The rules and procedures are basically the same from kindergarten through grade twelve (12). Parents, teachers and others responsible for the welfare and education of these students must cooperate to interpret and enforce these rules.

PROCEDURES

A violation of school rules could result in (a) a conference with the student, (b) notification of parents and (c) appropriate disciplinary action that could include suspension or expulsion.

In addition to the rules and regulations of the Todd County schools outlined here, all persons are expected to obey the laws of the Rosebud Sioux Tribe, the State of South Dakota and of the United States. On school property violation of public law in the following categories will result in action by school authorities regardless of whether or not criminal charges are pressed: arson; assault; burglary; bomb threats; extortion or blackmail; larceny; vandalism; robbery; sale, possession or use of alcoholic beverages or illegal drugs; trespassing; unlawful interference with or harassment of school authorities.

PARENT RESPONSIBILITIES

1. send your child to school as required by South Dakota Law (SDCL 13-27-1); exceptions SDCL 13-27-3 and Chapter V, Section 20, Rosebud Sioux Tribe Law and Order Code;
2. make certain your child's attendance at school is regular and punctual and all absences are properly excused;
3. insist that your child is clean, dressed in compliance with school rules of sanitation and safety, and in a fashion that will not disrupt classroom procedures;
4. be sure your child is free of communicable disease and is in as good health as possible;
5. guide your child from the earliest years to develop socially acceptable standards of behavior, to exercise self-control, and to be accountable for his/her actions;
6. teach your child, by word and example, respect for law, for the authority of the school, and for the rights and property of others;
7. know and understand the rules your child is expected to observe at school; be aware of the consequences for violations of these rules; and, accept legal responsibility for your child's actions;
8. instill in your child a desire to learn; encourage a respect for honest work and an interest in exploring broader fields of knowledge; and
9. become acquainted with your child's school, its staff, curriculum and activities; attend parent-teacher conferences and school functions.

STUDENT RESPONSIBILITIES

1. take advantage of the academic opportunities offered at school;
2. support and participate in school activities;
3. attend school regularly and punctually; excuses for absences or tardiness must be in writing by a parent or guardian;
4. remain on the school campus during the school day; permission to leave must be in writing by an administrator, nurse or attendance clerk;
5. be self-controlled, reasonably quiet, and non-disruptive in classrooms, hallways, study areas, school buses, on school property, and at school activities;
6. be clean and dress in compliance with school rules of sanitation and safety, and in fashion that will not disrupt classroom procedures;

7. be reasonable, modest, self-controlled, non-suggestive and considerate in your relationships with other students;
8. strive for mutually respectful relationships with teachers;
9. keep your language and gestures respectful and free of profanity or obscenities;
10. respect private, public, and school property;
11. obey the school rule against use or possession of tobacco by students and the “Drug Free Schools” rule on school property or while attending school-sponsored activities; and
12. be informed regarding student rights and responsibilities;

TEACHER & STAFF RESPONSIBILITIES

1. reflect a personal enthusiasm for teaching and learning and a genuine concern for the individual student;
2. guide learning activities so students learn to think and reason, assume responsibility for their actions, and respect the rights of others;
3. participate in the establishment of school rules and regulations regarding student behavior; explain these rules to students, and require observance of them;
4. be fair, firm, and consistent in enforcing school rules in classrooms, hallways, restrooms, school buses, on the school campus, and at all school sponsored activities;
5. give positive reinforcement for acceptable behavior;
6. demonstrate, by word and personal example, respect for law and order self-discipline;
7. refer to a counselor or administrator any student whose behavior requires special attention; and
8. inform parents regarding student achievement and behavior; and consult with parents whenever necessary.

PRINCIPALS’ RESPONSIBILITIES

1. create the best teaching-learning situation possible, exercising all authority assigned by the superintendent and school board;
2. organize school schedules and teaching assignments and require effective classroom management and instruction;
3. take leadership in establishing reasonable rules and regulations for the well-ordered operation of the school;
4. make these rules and regulations known to and understood by students, parents and all school staff;
5. receive teacher or counselor referrals of students with behavior problems, confer with these students, communicate with parents, and set up cooperative procedures for bringing about modification of the students’ behavior;
6. be fair, firm, and consistent in all decisions affecting students, parents and staff;
7. demonstrate, by word and personal example, respect for law and order self-discipline and genuine concern for all persons coming under your authority;
8. become acquainted with your students by visiting classrooms and attending school activities; and
9. maintain open lines of communication between school and home.

SCHOOL BOARD, SUPERINTENDENT, & DISTRICT ADMINISTRATORS’ RESPONSIBILITIES

1. maintain a well-trained staff at all levels;
2. inform the community what is expected of Todd County students and what happens if rules are violated;
3. give full support to the staff charged with the responsibility for enforcing discipline in accordance with District Policy and South Dakota law;
4. develop programs which provide for students with special needs;
5. be fair and consistent in making the final decisions regarding those students whose behavior problems have been appealed from individual schools to the superintendent and school board, in accordance with district policy and South Dakota law; and

6. become acquainted with the schools, staff and students, by visiting building regularly and by attending school activities.

South Dakota Codified Law

13-32-4. School board to assist in discipline-Suspension and expulsion of pupils-Report to local authorities-Hearings-Alternative settings

The school board of every school district shall assist and cooperate with the administration and teachers in the government and discipline of the schools. The board may suspend or expel from school any student for violation of rules or polices or for insubordination or misconduct, and the superintendent or principal in charge of the school may temporarily suspend any student in accordance with 13-32-4.2. The rules or policies may include prohibiting the following.

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

In addition to administrative and school board disciplinary action, any violation of 13-32-7 shall be reported to local law enforcement authorities.

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

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

South Dakota Codified Law

13-32-7. Possession of firearms on elementary or secondary school premises or vehicle as misdemeanor-Exceptions

Any person, other than law enforcement officer, who intentionally carries, has in his possession, stores, keeps, leaves, places, or puts into the possession of another person, any firearm, or air gun, whether or not the firearm or air gun is designed, adapted, used, or intended primarily for imitative or noisemaking purposes, or any dangerous weapon, on or in any elementary or secondary school premises, vehicle, or building or any premises, vehicle, or building used or leased for elementary or secondary school functions, whether or not any person is endangered by such actions, is guilty

of a class 1 misdemeanor. This section does not apply to starting guns when used at athletic events, firearms, or air guns at firing ranges, gun shows, and supervised school sessions for training in the use of firearms. This section does not apply to the ceremonial presence of unloaded weapons at color guard ceremonies.

South Dakota Codified Law

13-32-9. Suspension from extracurricular activities for controlled substance violations

Any person adjudicated, convicted, or the subject of a suspended imposition of sentence for possession, use, or distribution of controlled substances or marijuana as defined in chapter 22-42 is ineligible to participate in any extracurricular activity at any secondary school accredited by the Department of Education for one year. Upon a subsequent adjudication, conviction, or suspended imposition of sentence for possession use, or distribution of controlled substance or marijuana by a court of competent jurisdiction, that person is attending any school accredited by the Department of Education. Upon determination in any juvenile preceding the United Judicial System shall give notice of that determination to the South Dakota High School Activities Association and the chief administrator of the school in which the person is enrolled.

As used in this section the term, extracurricular activity, means any activity sanctioned by the South Dakota High School Activities Association.