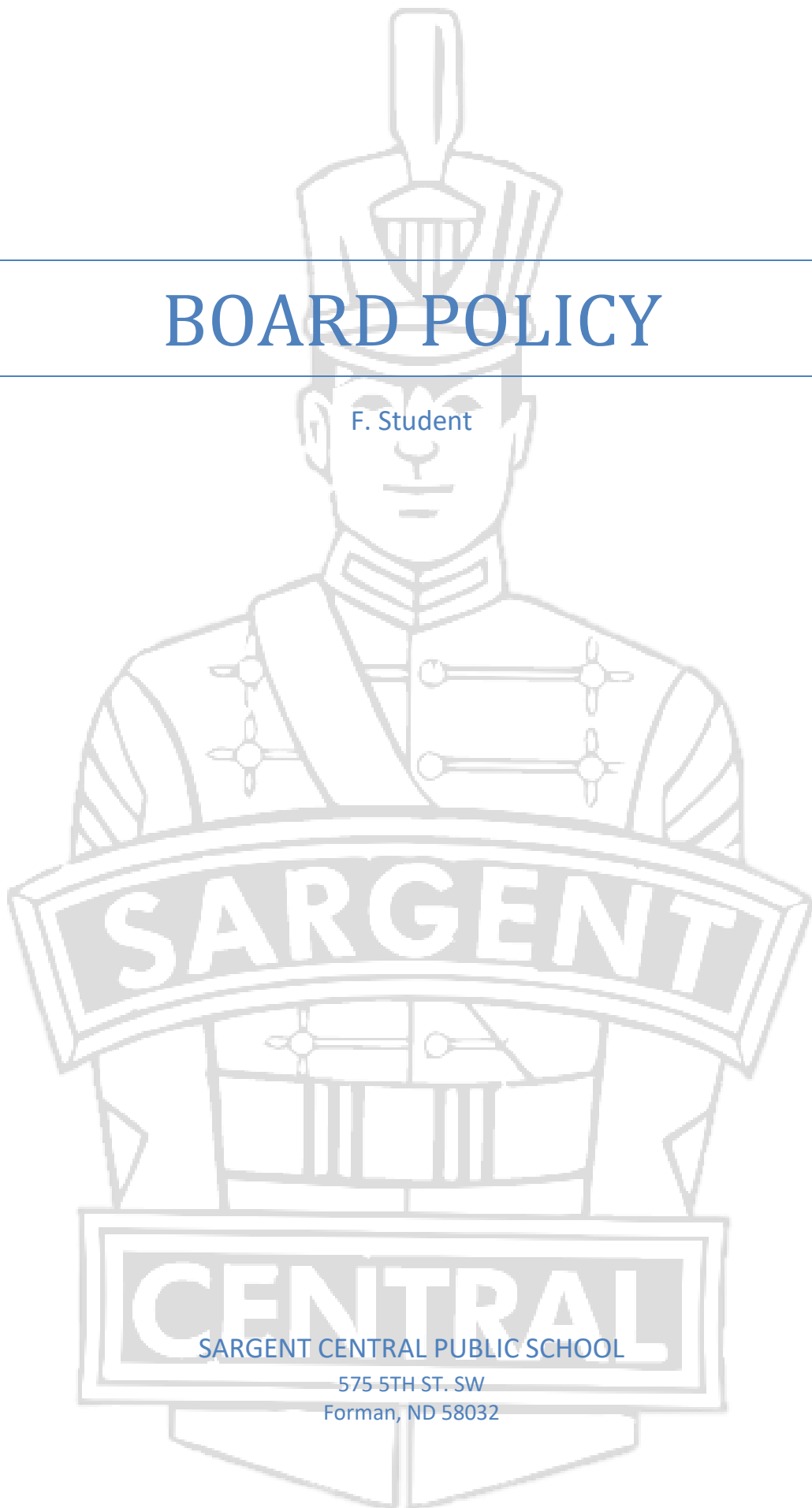

BOARD POLICY

F. Student



OPEN ENROLLMENT

Open enrollment applications received from residents of other North Dakota school districts will be acted upon by the Board at a regular or special meeting prior to the deadline established by law. A parent who wishes to open enroll a student in the District shall file an application for approval with the Board. All applications will be reviewed and acted upon in the same chronological order as they were received.

Criteria for acceptance or rejection may be based upon the capacity of a program, grade level or school building as defined in regulations or other criteria deemed appropriate by the Superintendent. The Board shall not deny an application on the basis of previous academic achievement, participation in extracurricular activities, disabilities, English language proficiency or previous disciplinary proceedings.

The District shall not give or offer to give remuneration or directly or indirectly exert influence upon the student or the student's family, in order to encourage participation in the open enrollment program. This does not include providing informational materials about the program.

The Business Manager or designee shall notify the parent or guardian and the resident district of the Board's acceptance or rejection of an application.

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

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

End of Sargent Central Public School District Policy FAAA

Reviewed	March 14th, 2014
Adopted	March 14th, 2014
Reviewed	April 10th, 2019
Adopted	May 8th, 2019
Revised	February 13th, 2024



CENTRAL

EARLY ENTRANCE REQUIREMENTS

A parent/guardian may apply for early admission of his/her child to the Sargent Central Public Schools if the child meets early entrance age requirements established by law. The Superintendent shall develop a procedure for testing and evaluating early entrance applicants in accordance with law. The procedure shall, at a minimum:

1. Require that applicants be evaluated using developmental and readiness tools developed by the Superintendent of Public Instruction.
2. Contain a prohibition disallowing an applicant from applying for early admission more than once during a 12-month period.
3. Require a mandatory nine-week probationary period for all approved applicants at the end of which reassessment shall be made.
4. Contain a notice that application denial decisions are binding for a twelve-month period.

Fees

The Board will assess the costs of early admission evaluations for students residing in the District. Out-of-district applicants will be charged a fee as determined by the Board and such monies will revert to the District.

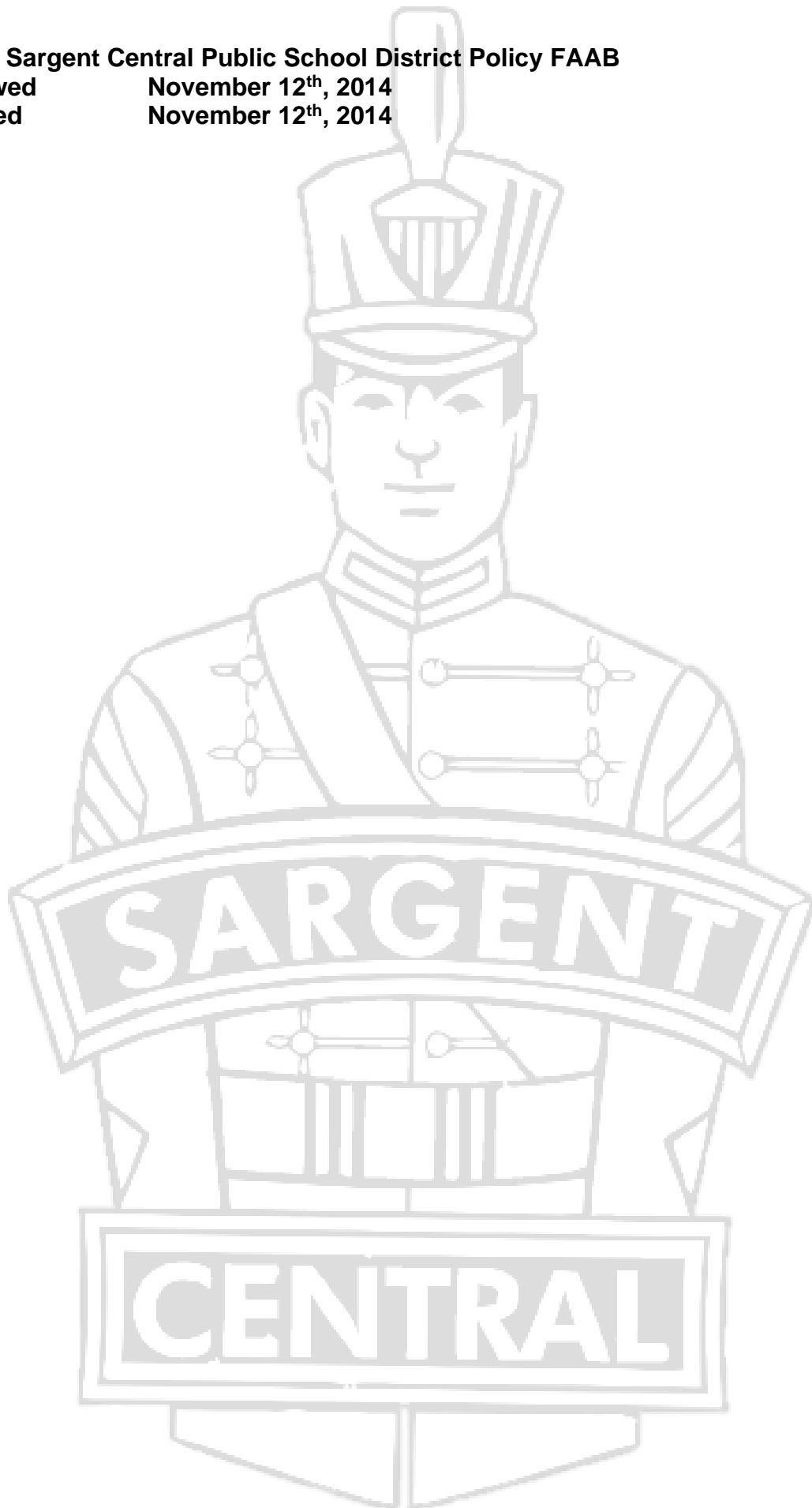
Transfer Students

This district will honor early admission evaluation decisions made by other districts but will still require a nine-week probationary period for any student who transfers into the District and is younger than the state minimum age of attendance for kindergarten and first grade.

Procedure

1. Parents initiate contact with school district administration.
2. School District administrator asks the parent to complete Application for Early Entrance.
3. After receiving written an application, District administrator sets up time to meet with the parent(s), student, and kindergarten teacher.
4. During the meeting the School District administrator will complete the Parent Interview form. The kindergarten teacher and student will meet separately from the Parent and Administrator to conduct some informal observations and assessments.
5. School District Administrator and Kindergarten teacher will meet to determine if further evaluation is needed, if the child would qualify for early entrance, or if the child will not qualify for early entrance.
6. If the School District Administrator and Kindergarten Teacher feel further evaluation is needed, they will contact South Valley to assist in conducting additional assessments.
7. South Valley Staff will conduct assessments and explain the results.
8. The School District Administrator will make the final determination for early entrance.

End of Sargent Central Public School District Policy FAAB
Reviewed November 12th, 2014
Adopted November 12th, 2014



SCHOOL ASSIGNMENT & CHOICE

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

School Choice

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

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

Extracurricular Eligibility

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

End of Sargent Central Public School District Policy FAB

Reviewed March 14th, 2014

Adopted March 14th, 2014



**ACCOMMODATING STUDENTS WITH ALLERGIES
& SPECIAL DIETARY NEEDS**

Each building principal shall implement procedures for identifying students with life-threatening allergies and shall develop general exposure avoidance measures.

The Board recognizes that students with medically documented life-threatening allergies are considered disabled and are covered by the Americans with Disabilities Act and Section 504 of the Rehabilitation Act. A clearly defined 504 Accommodation Plan will be developed and implemented for all such identified students. Appropriate staff, the parent/guardian of the student, and the student's physician shall sign these plans.

Relevant staff shall be made aware of 504 plans, the measures needed to implement them, methods to reduce risk of exposure, and emergency response procedures in the event of exposure.

End of Sargent Central Public School District Policy FCAA
Reviewed April 25th, 2018
Adopted April 25th, 2018



CONCUSSION MANAGEMENT

The District shall comply with the concussion management program requirements contained in law. The District has placed concussion signs and symptoms; removal from practice, training, and/or game requirements; return-to-play requirements, and staff, student, and parental training requirements in administrative regulations. These regulations shall be published in all student handbooks.

The Board has also established the following definitions and requirements for the purpose of implementing the concussion management program law.

Definitions

Law requires that all school-sponsored and sanctioned athletic training, practices, and competitions be governed by a concussion management program. The District has developed the following definitions for purposes of determining what constitutes athletic sponsorship and sanctioning:

- *School-sanctioned athletic activity* is a sport that:
 - a. Is not part of the district's curricular or extracurricular program;
 - b. Is established by a sponsor to serve in the absence of a district program;
 - c. Receives district support in multiple ways (i.e., not school facility use alone);
 - d. Requires participating students to regularly practice or train and compete.
 - e. The District has officially recognized through board action as a school-sanctioned activity.

The Board shall make all sanctioning decisions on a case-by-case basis, based on the criteria in this paragraph. As a condition of receiving school sanctioning, sponsors of the athletic activity shall agree to comply with this policy and the concussion management law. This includes agreeing to provide appropriate training and providing appropriate information to parents and students as required by law. The sponsor shall provide to the District documentation certifying that this training has occurred, and students/parents have viewed required informational material on concussions prior to beginning the activity.

- *School-sponsored athletic activity* is a sport that the District has approved through policy or other board action for inclusion in the district's extracurricular program, is controlled and funded primarily by the District, and requires participating students to regularly practice, train, and compete.

Removal Decisions

Under the concussion management law, the District is authorized to designate removal-from-play authority to individuals who have direct responsibility for student athletes during practice, training, and/or competitions if a student reports or exhibits a sign or symptom of a concussion. The Athletic Director shall make this determination, and the Athletic Director shall ensure that such designees are aware of this responsibility and have undergone appropriate training in accordance with law before commencing duties.

Law also authorizes licensed, registered, or certified healthcare providers whose scope of practice includes recognition of concussion signs and symptoms to make removal decisions. The Athletic Director may consult with medical personnel to determine who has such credentials and who would be willing to assist in this regard. The District must compile a list of such individuals, which may be provided to all coaches. This measure in no way guarantees that a healthcare provider trained and credentialed in accordance with law will be present at athletic training, practices, and/or events nor shall the voluntary creation of this safety precaution be construed to create or assume any potential liability under local, state, or federal law or regulation.

High school students and minors who serve as coaches or officials are encouraged to work with an adult who has removal-from-play authority prior to removing a student from play.

If two or more individuals with removal-from-play authority disagree on whether or not a student must be removed, the determination must be made in the interest of the student's safety, meaning that the student shall be required to sit out and comply with return-to-play requirements contained in law.

Return to Play

The Board designates the Athletic Director to receive return-to-play documentation from a healthcare provider. This designee shall review the documentation, determine if the healthcare provider has placed any conditions on return to play, contact the healthcare provider for any necessary clarification on the authorization document, and communicate such information to applicable coach(es) and assistant coach(es). This designee shall also file return-to-play authorization documents in the student's educational record. This documentation must be retained for seven years after the student's enrollment or six years after a student turns eighteen, whichever is later.

End of Sargent Central Public School District Policy FCAF

Reviewed	November 12th, 2013
Adopted	November 12th, 2013
Reviewed	September 11th, 2019
Revised	September 11th, 2019
Revised	July 13th, 2022



CENTRAL

EDUCATION OF THE HOMELESS STUDENT

This policy defines the following:

- *Enrollment* means attending classes and full participation in school activities.
- *Full participation* means student participation in extracurricular activities, which offers additional opportunities for student engagement and greater motivation for retention. Further, extracurricular participation can open doors to higher education opportunities and scholarships, and build skills and relationships that carry over into students' adult lives.
- *Homeless student* or *unaccompanied youth* means an individual who lacks a fixed, regular, and adequate nighttime residence due to loss of housing, economic hardship, or similar reason. It includes students and youths (preschool-grade 12) who are:
 - Living in an emergency shelter or transitional housing;
 - Living in motels, hotels, trailer parks, or campgrounds due to lack of alternative adequate accommodations;
 - Living in cars, parks, public or private spaces not designed for humans to live, abandoned buildings, substandard housing, bus stations, train stations, or similar settings;
 - "Doubled up" by living with friends or family; or
 - Living in unsuitable conditions, such as lack of utilities, mold, infestations, or dangers.

Migratory students and unaccompanied youth (youth not in the physical custody of a parent/guardian) may be considered homeless if they meet the above definition.

Homeless status is determined in cooperation with the parent/guardian, or in the case of unaccompanied youth, the homeless student liaison.

- *Immediate enrollment* means within twenty-four hours of the best interest determination. Enrollment must not be denied or delayed because documents normally required for enrollment have not been provided. The enrolling school must immediately contact a student's school of origin to obtain the relevant records, and the school of origin should immediately transfer those records.
- *School of origin* means the school the student attended when permanently housed or the school in which the student was last enrolled, including a preschool.

Homeless Student Liaison

The Board designates school counselor as the Homeless Student Liaison. This individual must perform all duties required by law to ensure the educational stability of a homeless student.

Best Interest Determination

The District must comply with the McKinney-Vento Homeless Education Assistance Improvements Act. The District shall seek to eliminate barriers to school attendance for

homeless students as defined by law. When feasible and consistent with a parent, guardian, or unaccompanied youth's wishes, the homeless student must be immediately enrolled in his or her school of origin and transportation must be provided in accordance with law.

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

Dispute Resolution

To the extent feasible and appropriate, when a dispute arises as to the best interest determination, the District must ensure that a homeless student be immediately enrolled in the school in which enrollment is sought, pending resolution of the dispute. The parent, guardian, or student wishing to file an appeal of a determination shall notify the Homeless Student Liaison. The liaison shall follow the dispute resolution procedure created in regulation FDB-BR1. The District shall make reasonable efforts to collaborate with aggrieved parties to resolve the dispute at the local level as expeditiously as possible.

End of Sargent Central Public School District Policy FDB

Reviewed

March 14th, 2014

Adopted

March 14th, 2014

Reviewed

September 11th, 2019

Revised

September 11th, 2019



EDUCATION OF THE HOMELESS DISPUTE RESOLUTION PROCEDURE

District Resolution Procedure

The Board has adopted the following dispute resolution procedure for disputes related to the inner-district placement of homeless students:

1. A parent/guardian/unaccompanied student wishing to dispute the Superintendent's school placement decision to the Board shall contact the Homeless Student Liaison to file an appeal within 15 days from receipt of the placement decision.
2. The Homeless Student Liaison shall notify the Superintendent of the appeal. The Superintendent shall take measures necessary to immediately enroll the homeless student in the school in which s/he is seeking enrollment, pending resolution of the dispute.
3. The Homeless Student Liaison shall present the appeal to the Board in a timely manner.
4. The Board will make an independent school placement determination based on feasibility and the student's best interest. When making this determination, the Board shall at least consider the following criteria:
 - a. The age of the student;
 - b. The distance of the commute;
 - c. The impact of the commute on a student's education;
 - d. The student's safety;
 - e. If the student has special needs and which school best serves those needs; and
 - f. The amount of time left in the school year.
5. The Board shall issue a placement determination within 15 days of receiving the appeal request. The determination shall be made in writing and issued to the parent/guardian/unaccompanied student who initiated the appeal, along with notice of the rights of the parent/guardian/unaccompanied student to appeal the decision to the State Homeless Program Administrator at the North Dakota Department of Public Instruction.
6. The Homeless Student Liaison shall send a copy of the written placement determination decision to the State Homeless Program Administrator at the North Dakota Department of Public Instruction.

State Resolution Procedure

The Board has adopted the following dispute resolution procedure for individuals who have exhausted the district level appeals process and/or for disputes that involve more than one school district:

1. A parent/guardian/unaccompanied youth shall inform the Homeless Student Liaison in the district of residence of their intent to file a state level placement appeal.
2. The Homeless Student Liaison shall assist the parent/guardian/unaccompanied youth with filing the appeal and notify the State Homeless Program Administrator of the appeal.
3. The Homeless Student Liaison shall notify the affected Superintendent(s) of the appeal, and the Superintendent(s) shall take measures necessary to

- immediately enroll the homeless student in the school in which s/he is seeking enrollment, pending resolution of the dispute.
4. The Homeless Student Liaison in the affected district(s), the enrollment officer in the affected district(s), parents of the student, homeless service providers, and the state homeless program administrator shall meet at the direction of the State Homeless Program Administrator to resolve the issue.
 5. The State Homeless Program Administrator shall be considered the final decision-maker. The District must comply with the State Homeless Program Administrator' placement determination.

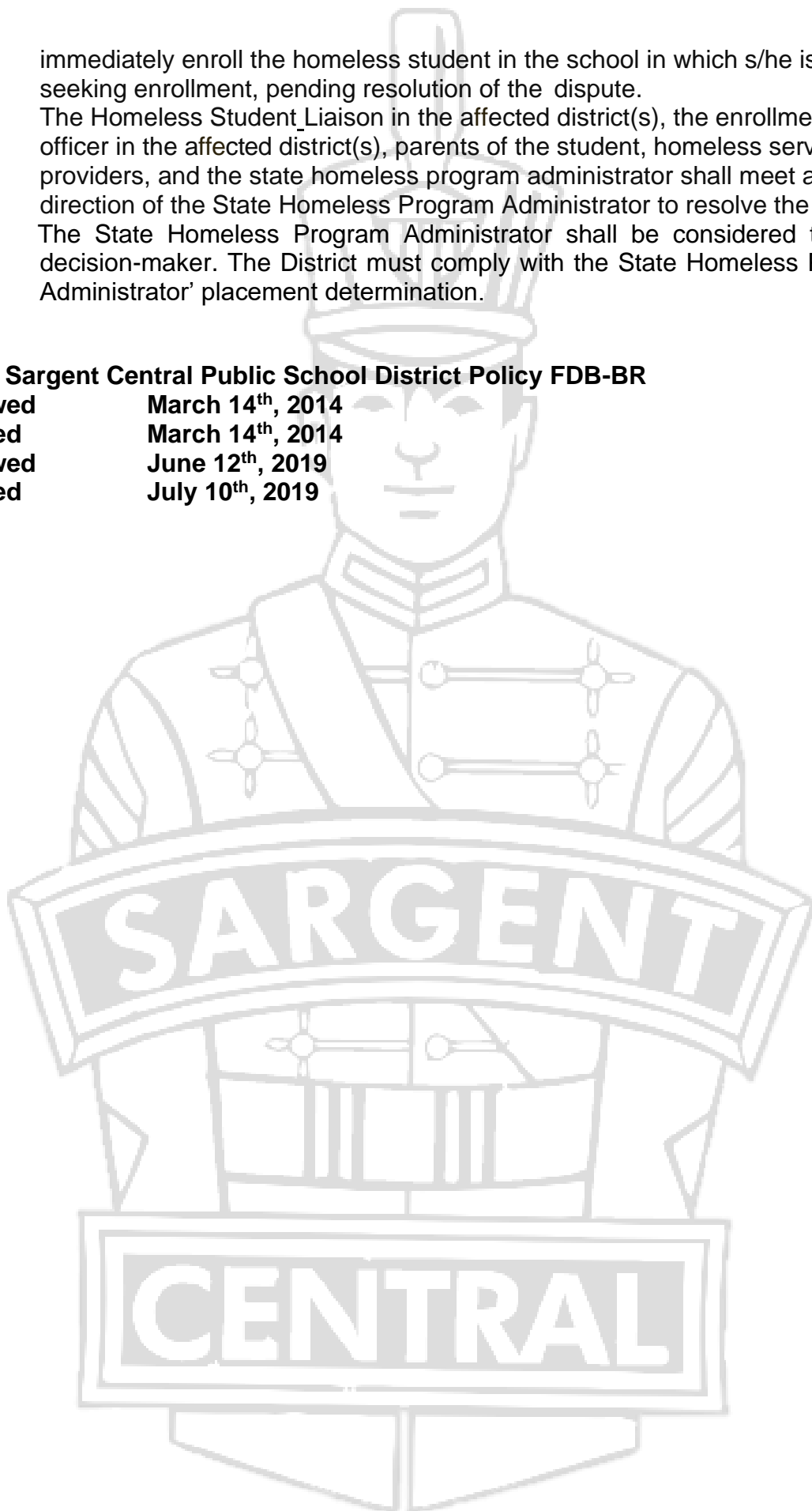
End of Sargent Central Public School District Policy FDB-BR

Reviewed March 14th, 2014

Adopted March 14th, 2014

Reviewed June 12th, 2019

Adopted July 10th, 2019



EDUCATION OF MIGRANT STUDENTS

The Superintendent will develop and implement a program to ensure that migratory students receive appropriate services in the same manner as other students selected to receive services. The program shall contain a means to:

1. Identify migrant students and assess their educational and related health and social needs.
2. Provide a full range of services to migrant students which may include Title I programs, special education, gifted education, vocational education, language programs, counseling programs, and elective classes.
3. Provide migrant children with the opportunity to meet the same statewide assessment standards that all children are expected to meet.
4. Provide advocacy and outreach programs to migrant children and their families and professional development for district staff.
5. Provide parent/guardians an opportunity for meaningful participation in the program.

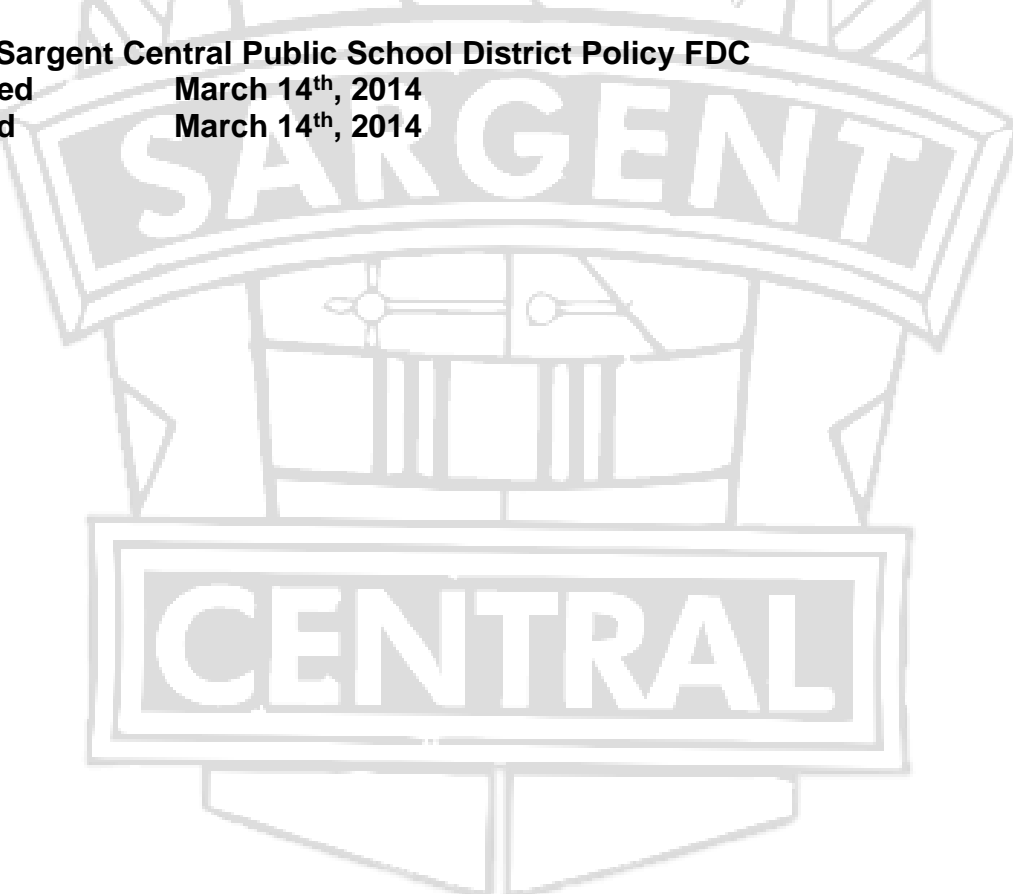
Parent Involvement in the Migrant Education Program (MEP)

The District in conjunction with parents/guardians of migrant students shall develop a parental involvement plan and compact, which shall be adopted by the Board. The MEP parental involvement plan shall contain procedures for consulting and communicating with parent(s)/guardian(s) about student achievement and the migrant program's development, implementation, operation, and evaluation.

End of Sargent Central Public School District Policy FDC

Reviewed March 14th, 2014

Adopted March 14th, 2014



EDUCATION OF PREGNANT AND PARENTING STUDENTS

Pregnant and parenting students shall be entitled to all protections contained in the district's nondiscrimination and anti-harassment policy and should report any violations of these protections using the district's discrimination and harassment grievance procedure. These students shall be allowed to participate in all school programs and activities on the same basis as any other student enrolled in Sargent Central Public School District Public Schools.

Attendance Standards for Pregnancy and Post-Pregnancy Conditions

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

Students shall not be disciplined or their status as a student otherwise demoted due to absences resulting from pregnancy or a post-pregnancy condition. Furthermore, students absent due to pregnancy/a post-pregnancy condition shall not be barred from participating in district programs and activities except when absences result in ineligibility to participate in activities covered under North Dakota High School Activities Association bylaws. Students will be given a reasonable time to make up missed work or participate in a credit recovery program. Failure by the student to complete any make up work requirements or credit recovery program(s) may result in a demotion in grades, retention, extracurricular ineligibility, or other appropriate recourse as determined by district administration in accordance with applicable district policy.

Accommodations for Pregnant Students

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

Alternative Curricular Participation

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

Medical Documentation Requests and Participation in Physical Activities

Pregnant students involved in programs involving physical activity will be required to provide medical documentation certifying fitness for participation only on the same basis

as the District requires such documentation from other students. Any medical documentation required for a pregnant student to participate in physical activities shall be no more stringent than when medical documentation is required to be provided by any other student as a condition of participation in physical activities.

Disclosure

If a student discloses her pregnancy status to a district employee, the employee will refer the student to a school counselor. The school counselor shall encourage the student to inform her parent(s)/guardian of the pregnancy if such advice is in the best safety interest of the student.

If a student refuses to inform her parent(s)/guardian of her pregnancy within a reasonable time, the counselor, in conjunction with the Superintendent, shall make a decision about whether or not to inform the student's parent(s)/guardian. The decision shall be made on a case-by-case basis, taking into account the student's age and safety. Before acting on the decision, the counselor shall contact the student and provide her with an opportunity to appeal the decision to the Superintendent.

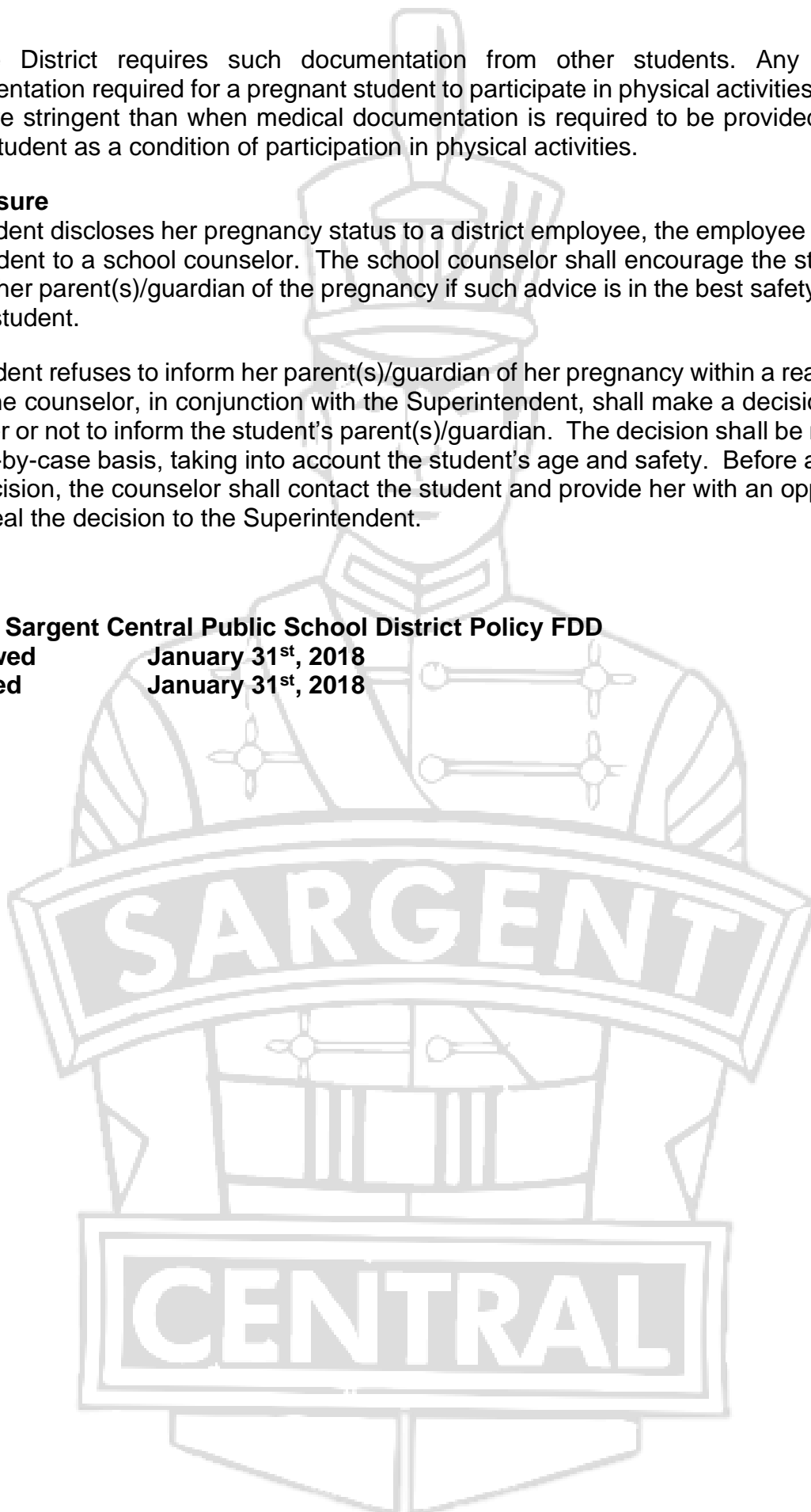
End of Sargent Central Public School District Policy FDD

Reviewed

January 31st, 2018

Adopted

January 31st, 2018



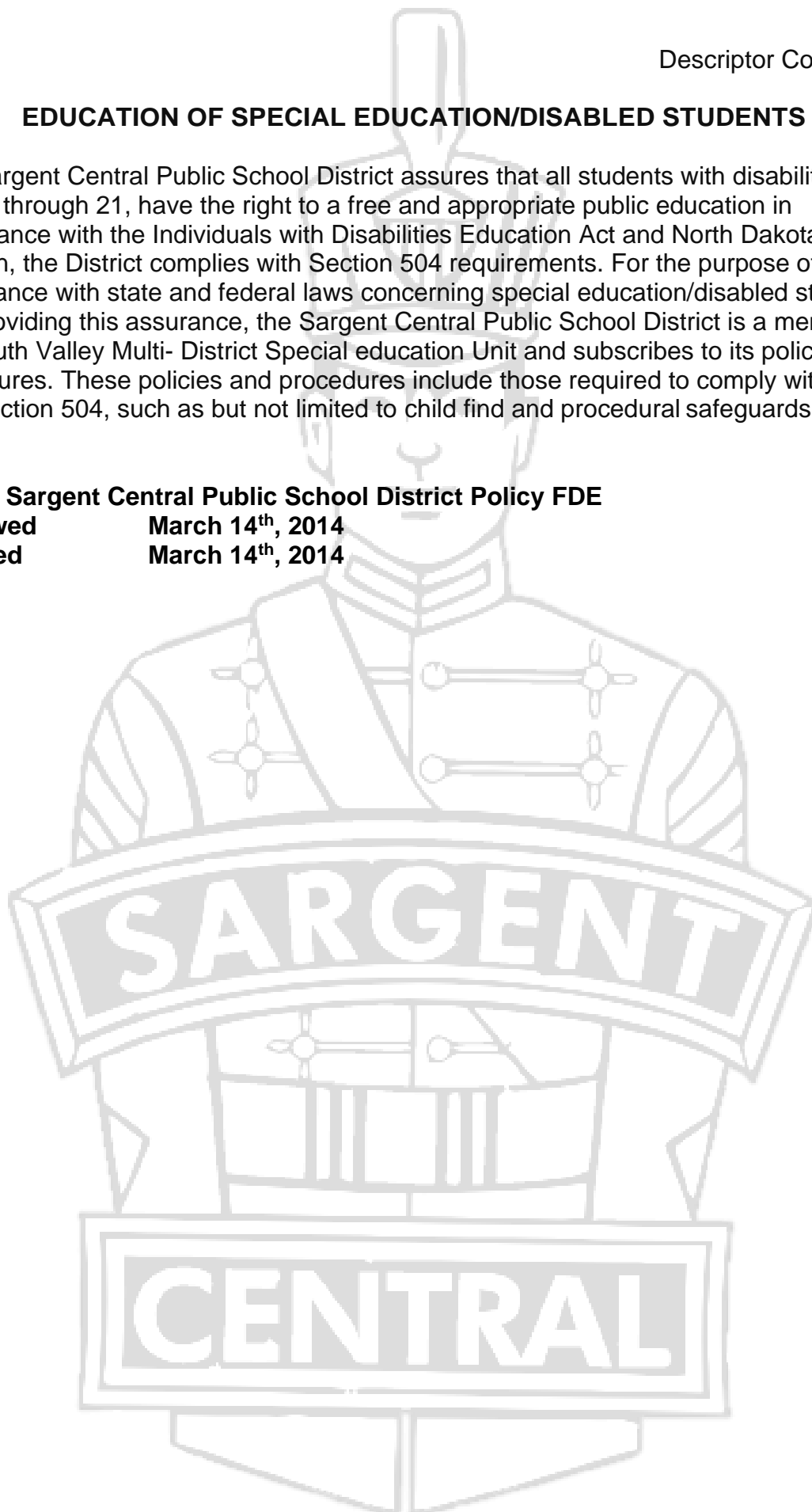
EDUCATION OF SPECIAL EDUCATION/DISABLED STUDENTS

The Sargent Central Public School District assures that all students with disabilities, ages 3 through 21, have the right to a free and appropriate public education in accordance with the Individuals with Disabilities Education Act and North Dakota law. In addition, the District complies with Section 504 requirements. For the purpose of compliance with state and federal laws concerning special education/disabled students and providing this assurance, the Sargent Central Public School District is a member of the South Valley Multi- District Special education Unit and subscribes to its policies and procedures. These policies and procedures include those required to comply with IDEA and Section 504, such as but not limited to child find and procedural safeguards.

End of Sargent Central Public School District Policy FDE

Reviewed March 14th, 2014

Adopted March 14th, 2014



STUDENTS IN FOSTER CARE

Definitions

This policy defines the following:

- *Foster care* as defined in 45 U.S.C. 1355.20 and NDCC 50-11-0.1(7).
- *School of origin* means the school in which a student is enrolled at the time of placement in foster care. If a student's foster care placement changes, the school of origin would then be considered the school in which the student is enrolled at the time of the placement change. Districts must ensure a student in foster care remains in the school of origin unless it is not in the student's best interest as determined as set forth herein.
- *Best interest determination* shall take into account all relevant factors, including, but not limited to, length of placement, student and/or student's parent(s) or guardian preference, safety issues, and the proximity to the school in which the student is enrolled at the time of foster care placement. Transportation costs must never be considered when determining best interest determination.
- *Immediate enrollment* means within twenty-four hours of the best interest determination. Enrollment must not be denied or delayed because documents normally required for enrollment have not been provided. The enrolling school must immediately contact a student's school of origin to obtain the relevant records, and the school of origin should immediately transfer those records.

Foster Care Student Point of Contact

The Board designates the counselor as the District Foster Care Point of Contact. This individual must perform all duties required by law to ensure the educational stability of a student in foster care.

Best Interest Determination

The District shall collaborate with state, local and tribal child welfare agencies, as applicable, and seek to eliminate barriers to school attendance for a student in foster care as defined by law¹. When feasible and in the best interest of the student, as determined by the local child welfare agency (CWA), in collaboration with the District Foster Care Point of Contact and other key partners, as applicable, the student in foster care must immediately be enrolled in their school of origin and transportation must be provided in accordance with law.

When not feasible for a student in foster care to attend their school of origin, as determined by the local CWA, in collaboration with the District Foster Care Point of Contact and other key partners, as applicable, the student must be placed in a school that is in the best interest of the student. The local CWA shall submit such placement decisions to the foster parent or designated caregiver in writing.

¹

If there is a difference of opinion regarding school placement between the District and CWA, the CWA shall be considered the final decision-maker.

Transportation

The District shall collaborate with state, local and tribal child welfare agencies, as appropriate, to implement a written transportation procedure by which prompt, cost-effective transportation will be provided, arranged and funded for a student to remain in their school of origin, when in their best interest, for the duration of their time in foster care.

Dispute Resolution

To the extent feasible and appropriate, when a dispute arises as to the best interest determination, the District must ensure that a student in foster care remains in their school of origin and promptly receives transportation in a cost-effective manner, pending resolution of the dispute. The District shall make reasonable efforts to collaborate with appropriate agencies and aggrieved parties to resolve the dispute at the local level as expeditiously as possible. The aggrieved party wishing to file an appeal of a determination shall notify the district's Foster Care Point of Contact and follow the dispute resolution procedure created by the state.

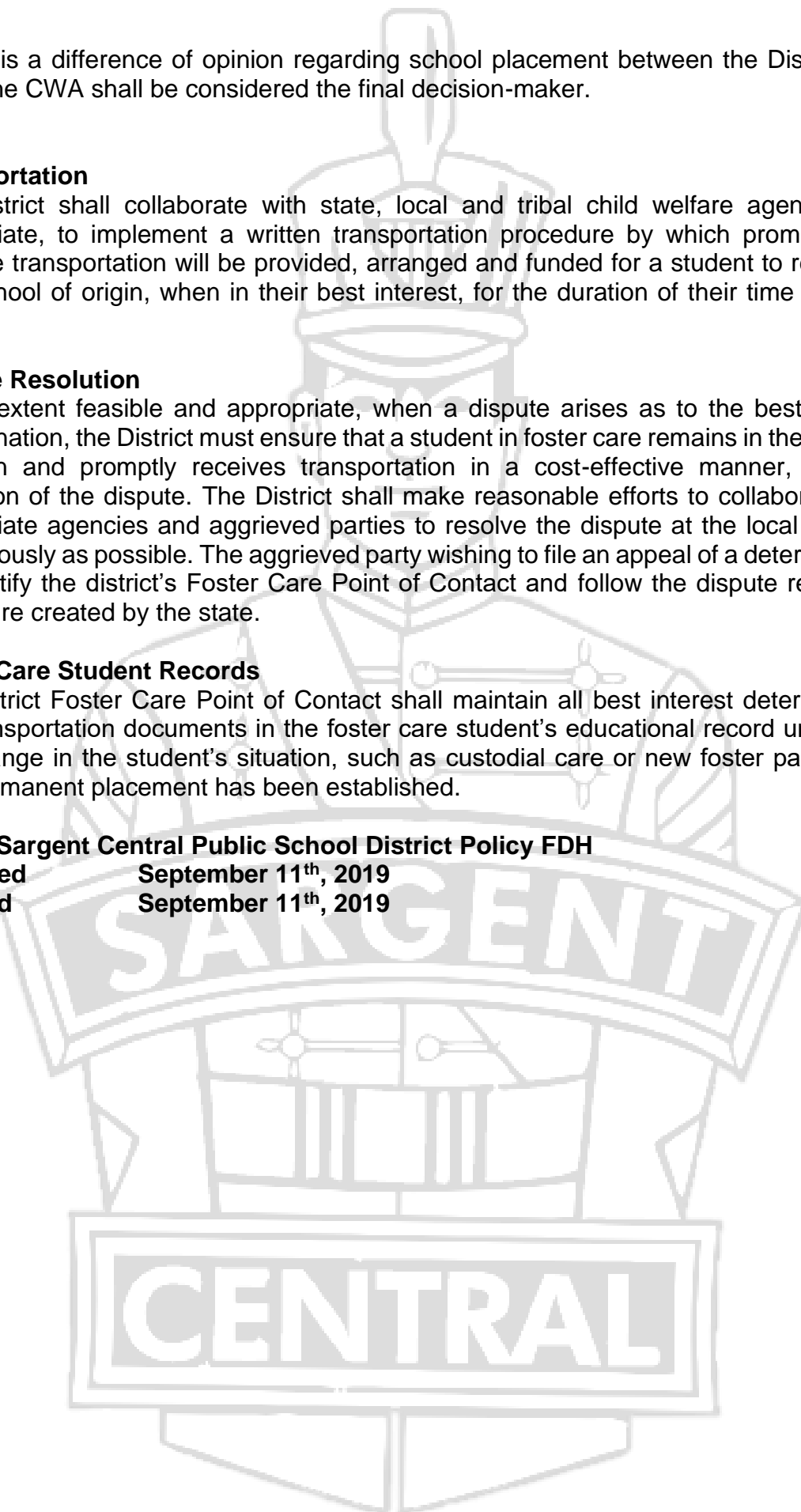
Foster Care Student Records

The District Foster Care Point of Contact shall maintain all best interest determination and transportation documents in the foster care student's educational record until there is a change in the student's situation, such as custodial care or new foster parents, or until permanent placement has been established.

End of Sargent Central Public School District Policy FDH

Reviewed September 11th, 2019

Adopted September 11th, 2019



FOSTER CARE STUDENT TRANSPORTATION PROCEDURE

The Board has adopted the following transportation procedures to ensure collaboration with the state or the local child welfare agency (CWA) to ensure the educational stability of a student in foster care, including assurances that:

1. Foster care students remain in their school of origin, unless a determination is made that it is not in their best interest; and
2. When a determination is made that it is not in the best interest to remain in the school of origin, the child must be immediately enrolled in a new school.

Transportation Plan Process

- A representative of the relevant CWA shall give clear notice to the District, as soon as practical, that a student in foster care needs, or may need, transportation to a district school that is the student's school of origin. Such notice may be given in writing or verbally directly to the district's Foster Care Point of Contact.

When a student's placement is outside of the boundary of their school of origin, the local CWA shall promptly notify and collaborate with the District to convene a best interest determination meeting.

- When the District is notified that a student in foster care needs, or may need, transportation to a district school serving as the student's school of origin, the district's Foster Care Point of Contact, in consultation with others, will promptly² take steps to determine best interest decision and establish an individualized transportation plan that addresses how transportation will be arranged, provided, and funded for the duration of time that the student is in foster care and attending the school of origin.

In the interim, the District and the local CWA must jointly develop and implement a plan to provide temporary transportation to ensure the student's educational stability.

The District must ensure that transportation is provided to a student in foster care even if transportation is not offered to non-foster care students.

- a. The District Foster Care Point of Contact shall establish and develop a transportation plan for the student in consultation with a representative of the local CWA, appropriate district staff (e.g., Superintendent, Title I coordinator, school of origin transportation designee, coordinator for special education, McKinney-Vento liaison), representatives from another school district (if applicable), and may also include obtaining input from others who may be involved in education or other decision-making for the student, such as the foster parent or designated caregiver.
 - b. Multiple factors will be considered and addressed in the best interest determination when determining transportation options for a student in foster care, including, but not limited to: safety of the foster care student and other students being transported, student age, length of commute, and distance. The cost of transportation must never be a factor when determining best interest determination. Information from the school of origin transportation designee about
-

these factors will be provided so that the best interest determination will be comprehensive and will include consideration of cost-effective measures.

The following options must be considered to provide school of origin transportation:

- i. Using an existing bus route;
 - ii. Modifying an existing bus routes slightly to accommodate the new address;
 - iii. Accessing specialized transportation offered to other students can be accessed, such as special education (IEP) or McKinney-Vento transportation;
 - iv. Modifying existing special education transportation slightly to accommodate the new address;
 - v. Arranging transportation by the foster parent/designated caregiver to the school of origin or to a bus stop on a route to the school of origin;
 - vi. Coordinating with the district in which the student is living to provide transportation to the District boundaries or an existing bus stop within the District;
 - vii. Public transportation;
 - viii. Walking within a reasonable walk zone (based on safety, disability, age, etc.).
- c. The transportation plan for the student must be in writing and include the following information:
- i. Student name;
 - ii. Contact information (address, phone and/or email)
 - iii. Current school district;
 - iv. A transportation strategy for providing transportation to and from the school of origin on school days, inclusive of identifying the method(s) of transportation, the person or entity responsible for providing the transportation, and if applicable, the person or entity who is responsible for making any specific arrangements that are necessary to the implementation of any mode of transportation;
 - v. To the extent applicable, a description of how the student's school-related transportation will be funded, particularly when the planned transportation involves additional costs as defined under applicable laws and regulations;
 - vi. A communication protocol that the District, CWA, and other relevant persons, such as the student's foster parent or designated caregiver, may use in order to address any questions or concerns that arise with the transportation plan, including considering possible adjustments to the student's transportation plan, and any relevant changes in the student's placement or foster care status that are relevant to the transportation plan.
3. A student needing transportation to the school of origin must promptly receive transportation in a cost-effective manner and in accordance with the local CWA's authority to use child welfare funding for school of origin transportation.

If there are additional costs incurred in providing transportation to maintain children in foster care in their schools of origin, the District will provide transportation to the school of origin if:

- a. The local CWA agrees to reimburse the District for the cost of such transportation;
 - b. The District and local CWA agree to share the cost;
 - c. The District agrees to pay for the cost of such transportation; or
 - d. The school of origin, local CWA, school of residence and/or placing CWA share the cost of such transportation.
4. The CWA in consultation with the District Foster Care Point of Contact and key partners, as applicable, shall make the best interest transportation determination for the student in foster care.
 5. The CWA and/or the District Foster Care Point of Contact shall notify the foster parent or designated caregiver of the decision. If transportation to the school of origin is in the best interest of the student, the District Foster Care Point of Contact shall contact the school of origin transportation designee to make the necessary arrangements.

Transportation must be provided for the duration of the student's time in foster care as long as it continues to be in the student's best interest to remain in his/her school of origin. If a student exits foster care before the end of a school year, the transportation arrangement shall be maintained through the end of the school year to maintain the student's educational stability if possible.

Dispute Resolution

The District and local CWA shall make every effort to expeditiously reach an agreement regarding the method of transportation and/or the funding of any additional costs associated with providing such transportation to the school of origin for a student in foster care at the local level. If the District and local CWA cannot resolve a dispute about transportation method or cost, the aggrieved parties shall notify the district's Foster Care Point of Contact and follow the dispute resolution procedure adopted by the District (see FDH-BR2).

End of Sargent Central Public School District Policy FDH-BR1

Reviewed

September 11th, 2019

Adopted

September 11th, 2019

CENTRAL

FOSTER CARE STUDENT TRANSPORTATION DISPUTE RESOLUTION PROCEDURE

Dispute Resolution Procedure

When there is disagreement between the District and the local CWA in determining the method of transportation and/or the funding of any additional costs associated with providing such transportation to the school of origin, the District will attempt to pursue the following dispute resolution procedures:

1. A meeting will be scheduled that involves the child welfare agency, District Foster Care Point of Contact and other key partners, as applicable, with each applicable school district. The parties shall attempt to self-mediate and resolve the dispute at the local level. By mutual agreement, the parties may involve a third party to act as neutral mediator in this process.
2. If the attempt to self-mediate and resolve the dispute is unsuccessful, or if all relevant parties mutually agree to proceed directly to this step, the aggrieved parties shall notify the District Foster Care Point of Contact and follow the dispute-resolution procedure created by the North Dakota Department of Public Instruction (NDDPI). The NDDPI shall be considered the final decision-maker. All agencies must comply with the final determination decision.

Interim Funding of Transportation

The District and the local CWA shall attempt to define a mutually-agreed-upon, interim funding arrangement that shall be implemented for a defined period of time so that the student can promptly receive transportation to the school of origin. In the absence of a voluntary interim funding arrangement, and in order to promptly provide transportation while a dispute is pending, the District will attempt to pursue an interim funding arrangement under which the District and the CWA that is responsible for the placement and care of the child shall each pay an equal share of the disputed additional costs of transportation on an interim basis until the funding dispute is resolved.

The final resolution of a funding dispute may require the full or partial reimbursement of funds that were expended under an interim arrangement for the costs of additional transportation during the intervening period of a funding dispute.

End of Sargent Central Public School District Policy FDH-BR2

Reviewed September 11th, 2019

Adopted September 11th, 2019



CENTRAL

STUDENT CONDUCT & DISCIPLINE

Conduct Standards

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

Disciplinary Standards

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

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

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

Disciplinary Standards for Special Education Students

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

Prohibited Disciplinary Actions

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

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

Disciplinary Authority

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

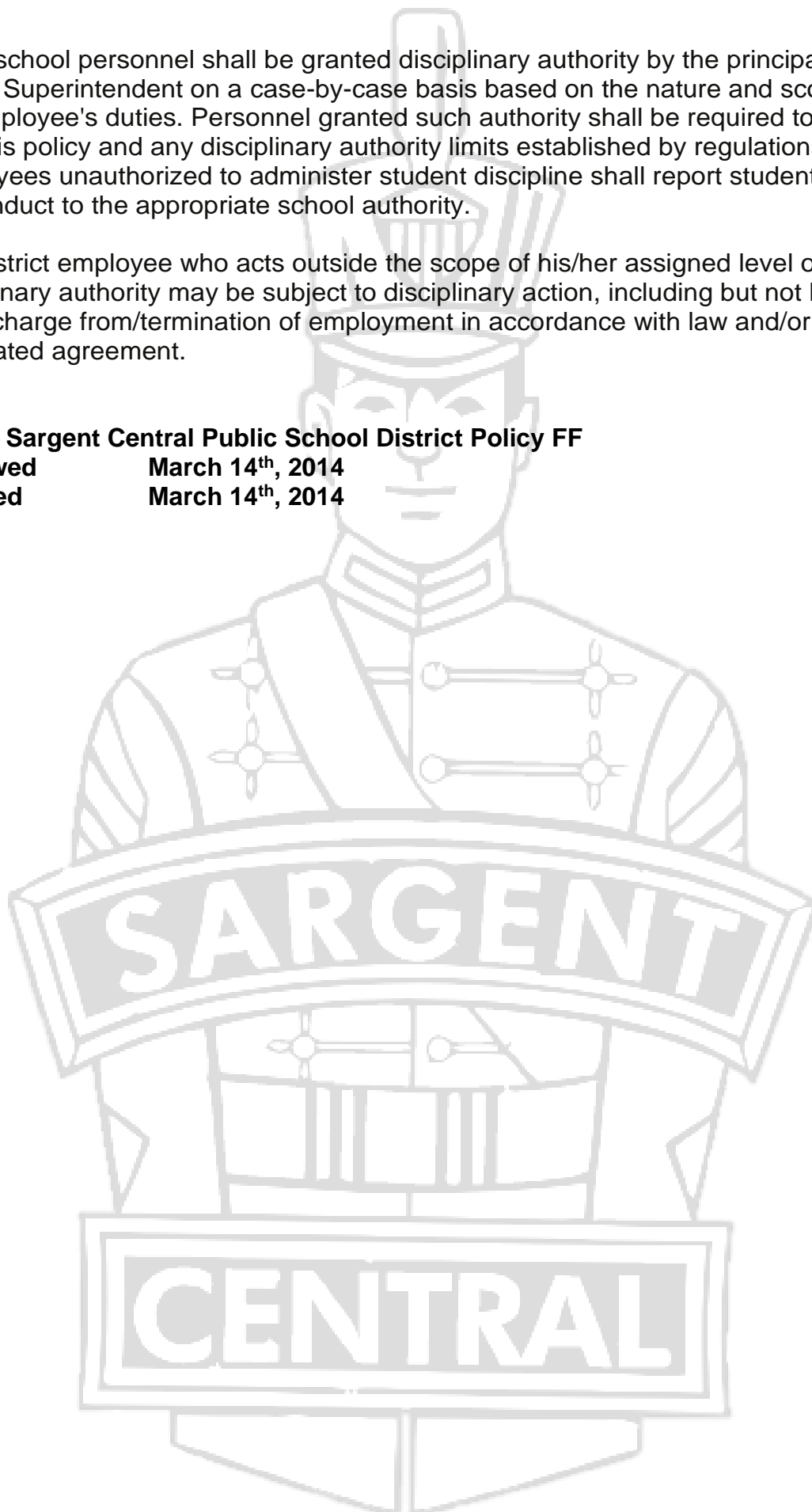
Other school personnel shall be granted disciplinary authority by the principal and/or Superintendent on a case-by-case basis based on the nature and scope of the employee's duties. Personnel granted such authority shall be required to comply with this policy and any disciplinary authority limits established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

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

End of Sargent Central Public School District Policy FF

Reviewed March 14th, 2014

Adopted March 14th, 2014



STUDENT ALCOHOL & OTHER DRUG USE/ABUSE

This policy pertains to alcohol and other drug use/abuse. Tobacco use is defined in a separate policy (see ABBA).

Philosophy

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

Definitions

This policy defines the following:

- *Alcohol* – See Prohibited Substances.
- *Drug* – See Prohibited Substances.
- *Possession* shall mean:
 - a. Actual physical possession of the alcohol or drug while on school property;
 - b. Use or consumption of the alcohol or drug while on school property;
 - c. In the student's locker, car, handbag, backpack, or other belongings while on school property; or
 - d. Appearance by a student on school property after having consumed or ingested alcohol or a drug that is noticeable by breath odor, speech alterations, unsteadiness of gait or posture, or like symptoms of chemical intoxication.
- *Use* shall mean that a student is reasonably known to have ingested, injected, inhaled or otherwise taken into the body a prohibited substance, or is reasonably found to be under the influence of such a substance.
- *School property* is defined in NDCC 15.1-19-10(6)(b) as all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by a school district, and the site of any school-sponsored event or activity.

Prohibited Substances

Prohibited substances include, but are not limited to:

1. Alcohol, powdered alcohol, or any alcoholic beverage as defined in NDCC 5-01-01;
2. Any controlled substance or dangerous drug as defined by NDCC Sections 19-03.1-05 through 19-03.1-13 and 19-03.1-26 (paraphernalia) or as defined by Section 812, Schedules I-V, of Title 21, United States Code, Section 801, et seq., including but not limited to marijuana, any narcotic drug, any hallucinogen, any stimulant or depressant, and all other illicit drugs;
3. Any glue, aerosol paint, or any other chemical substance used for inhalation;

4. Any prescription or non-prescription drug, medicine, vitamin or other chemical including, but not limited to aspirin, other pain relievers, stimulants, diet pills, multiple or other type vitamins, pep pills, "no-doze" pills, cough medicines and syrups, cold medicines, laxatives, stomach or digestive remedies, depressants, sports or muscle-building supplements, and sleeping pills not administered and/or taken with appropriate consent and authorization from parents, school administration, and, if applicable, a health care provider.

Prohibited Activities

It shall be against school policy for any student to:

1. Sell, deliver, or give, or attempt to sell, deliver, or give to any person any of the substances listed in this policy or sell, deliver, or give or attempt to sell, deliver, or give to any person substances the student represents or believes to be a substance(s) listed in this policy.
2. Possess, procure, purchase, or receive or to attempt to possess, procure, purchase, or receive the substances listed in this policy, or what is represented by or to the student to be any of the substances listed in this policy, or what the student believes is any of the substances listed in this policy.
3. Be under the influence of (legal intoxication not required), use, consume, or attempt to use or consume the substances listed in this policy or what is represented by or to the student to be any of the substances listed in this policy or what the student believes is any of the substances listed in this policy.
4. Knowingly or intentionally aiding or abetting in any of the above activities.

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

Reporting Violations

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

Violation

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

As part of this search, the principal or Superintendent may require the student to submit to a drug/alcohol by law enforcement test if:

1. The principal and/or Superintendent has reasonable suspicion that the student is under the influence of drugs/alcohol.
2. The mandatory drug/alcohol test is reasonable at inception based on criteria established by the Board and not excessively intrusive in light of the age and sex of the student.

This language in no way authorizes random drug testing in district schools as part of the curricular program.

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

Intervention

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

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

The school will make a reasonable effort to cooperate with a therapy program if one is recommended for the student. The school will have the option of requiring that the student attend the suggested therapy at school district expense as a condition for continuing to attend school. The Board believes that if a student is involved in a chemical dependency program and is successfully addressing their harmful involvement with chemicals, they may be allowed to continue in the regular school setting and continue to participate in any extracurricular program unless participation is in conflict with rules and regulations set forth by the Board, the North Dakota High School Activities Association, and/or the student has been suspended or expelled as a result of a district policy violation.

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

Confidentiality

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

Education

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

In addition, the District will conduct staff orientation and training on drug and alcohol prevention, including a periodic overview of this policy and its procedures for

implementation. The District will also provide parent and community education on the topic of drug and alcohol prevention.

Policy Implementation

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

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

Each building administrator and/or department manager will annually conduct inservice training sessions for school district employees, which will include a review of this policy and procedures for implementation thereof. In the event an employee is unable to attend such inservice sessions, the administrator will cause this policy to be individually reviewed with such employee.

The building administrator and/or department manager may maintain a list of all employees with whom this policy has been reviewed, whether individually or through inservice training, along with the dates of such review or training.

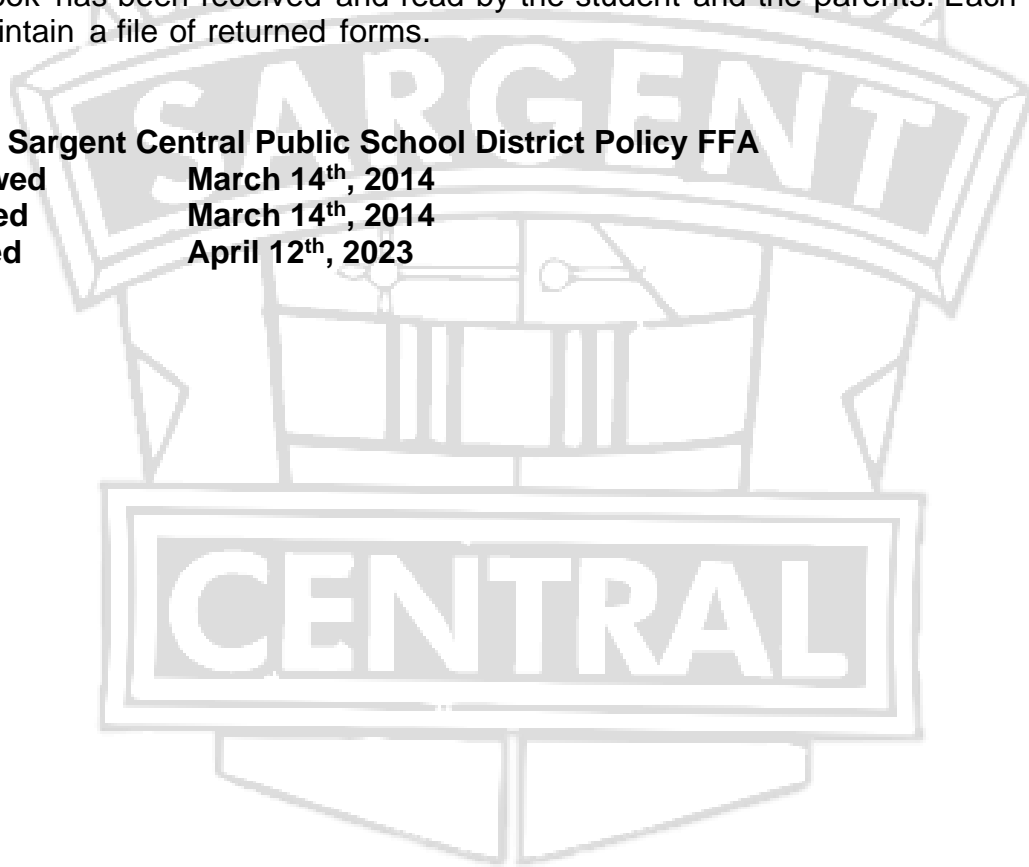
In addition, student handbooks will be used to inform students that the use of alcohol and other drugs is wrong and harmful and is not permissible. Students, employees and parents will be given a copy of the standards of conduct and the statement of sanctions required concerning the possession, use or distribution of illicit drugs and alcohol. Compliance with these standards of conduct is mandatory. The handbook will include a form for parents to sign and return indicating that the information in the handbook has been received and read by the student and the parents. Each principal will maintain a file of returned forms.

End of Sargent Central Public School District Policy FFA

Reviewed March 14th, 2014

Adopted March 14th, 2014

Revised April 12th, 2023



ATTENDANCE & ABSENCES

The Sargent Central School District believes that regular school attendance is the joint responsibility of the student and their parent(s) or guardian(s), and it is essential for student success in school. The District shall abide with compulsory attendance requirements in state law for students ages seven through sixteen. In order to comply with and enforce these requirements, the Board establishes the following attendance policy.

Definitions

For purposes of compulsory attendance reporting under NDCC 15.1-20-02.1 (1-2):

- *Excused absence* is an absence that the District will not use in determining if a compulsory attendance violation occurred. Any absence may be excused if it is supported by either a verbal or written excuse supplied by the student's parent/guardian, teacher, or school administrator.

Examples of an excused absence may include illness, injury, family emergency, religious observance or instruction, suspension, participation in a school-related activity, court appearances when subpoenaed, or other reasons deemed necessary and justifiable by the building principal or Superintendent.

- *Unexcused absence* is any absence not supported by the verbal or written excuse required for an excused absence, and shall count in determining when a compulsory attendance violation occurred. If a student is absent for an unexcused reason, the parent/guardian is responsible for promptly calling the principal's office to explain the absence, and the student shall be subject to the consequences contained in the Absences section of this policy.

Examples of an unexcused absence may include, but are not limited to, truancy, oversleeping, routine errands, car trouble, haircuts, beauty shop appointments, car maintenance and repair, senior picture appointments, and any undeclared absences.

Documentation Requirements

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

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

Compulsory Attendance Violations

North Dakota law defines what constitutes a compulsory attendance violation. Suspected violations of the compulsory attendance law shall be reported to school administration and investigated in accordance with law. When a compulsory attendance violation is

substantiated, the District shall comply with law enforcement reporting requirements under law.

Absences

The Board recognizes that prompt, regular attendance is extremely important. Absenteeism not only adversely affects the learning process of a student but also may impede their normal progression through the grades. The Board expects each student to attend all scheduled classes and daily activities except when a school administrator has excused a student.

The Superintendent or designee shall establish criteria for requesting and granting approved absences, make-up work requirements, and parental notification processes for students with accumulated absences.

Students shall be subject to disciplinary sanctions due to unexcused absences. Accumulated absences in excess of ten per semester may result in disciplinary consequences.

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

Dissemination

This policy shall be published in all student handbooks.

End of Sargent Central Public School District Policy FFB

Reviewed March 14th, 2014

Reviewed May 14th, 2014

Reviewed June 9th, 2014

Reviewed July 14th, 2014

Adopted January 28th, 2015

Revised July 13th, 2022



SARGENT
CENTRAL

BUS CONDUCT

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

Conduct Requirements

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

Violations

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

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

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

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

End of Sargent Central Public School District Policy FFC

Reviewed

April 25th, 2018

Adopted

April 25th, 2018

POSSESSING WEAPONS

Definitions

This policy defines the following:

- Dangerous weapon means, as defined in 18 U.S.C. 930(g)(2), a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury.
- Firearm means, as defined in 18 U.S.C. 921, (1) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (2) the frame or receiver of any such weapon; (3) any firearm muffler or firearm silencer; or (4) any destructive device. The term does not include an antique firearm.
- School property is as defined in NDCC 15.1-19-10(6)(c) as all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by a school district, and the site of any school-sponsored event or activity.

Prohibitions

Students are prohibited from possessing on school property or at a school function a firearm, dangerous weapon, or any object that is used, attempted to be used, or threatened to be used to intimidate or cause bodily harm.

Disciplinary Consequences

Violation of this policy will result in disciplinary action up to and including suspension or expulsion.

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

1. The totality of the circumstances, including the severity of the incident and the degree of endangerment of other students and staff.
2. The age and grade level of the student.
3. The prior disciplinary history of the student being expelled.
4. Relevant factors that contributed to the student's decision to possess a firearm in violation of this policy.
5. The recency and severity of prior acts resulting in suspension or expulsion.

6. Whether or not the optional provision of educational services in an alternative setting is a viable alternative to modifying the duration of the expulsion.
7. Input, if any, provided by licensed professionals (psychologists, psychiatrists, counselors) as to whether or not the expelled student would place themselves or others at risk by returning to the school prior to the expiration of the expulsion period.

Any modifications of the one calendar year expulsion period must be documented in writing.

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

The District must refer any student who possesses a firearm on school property or a school function to the criminal justice or juvenile delinquency system.

Special Education Students

A student who is defined as having a disability under the Individuals with Disabilities Education Act (IDEA) who possesses a firearm or dangerous weapon on school property or at a school function shall be handled in accordance with IDEA regulations. The District shall make manifestation determinations, disciplinary decisions, referral decisions, and placement decisions of such students in accordance with IDEA regulations.

Non-applicable Provisions

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

A student who finds a firearm or dangerous weapon on the way to school, on or in school property or at a school function or discovers that they unknowingly have a firearm or dangerous weapon in their possession may not be considered to possess it if they immediately turn it over to an administrator, teacher or head coach or notify an administrator, teacher, or head coach of its location.

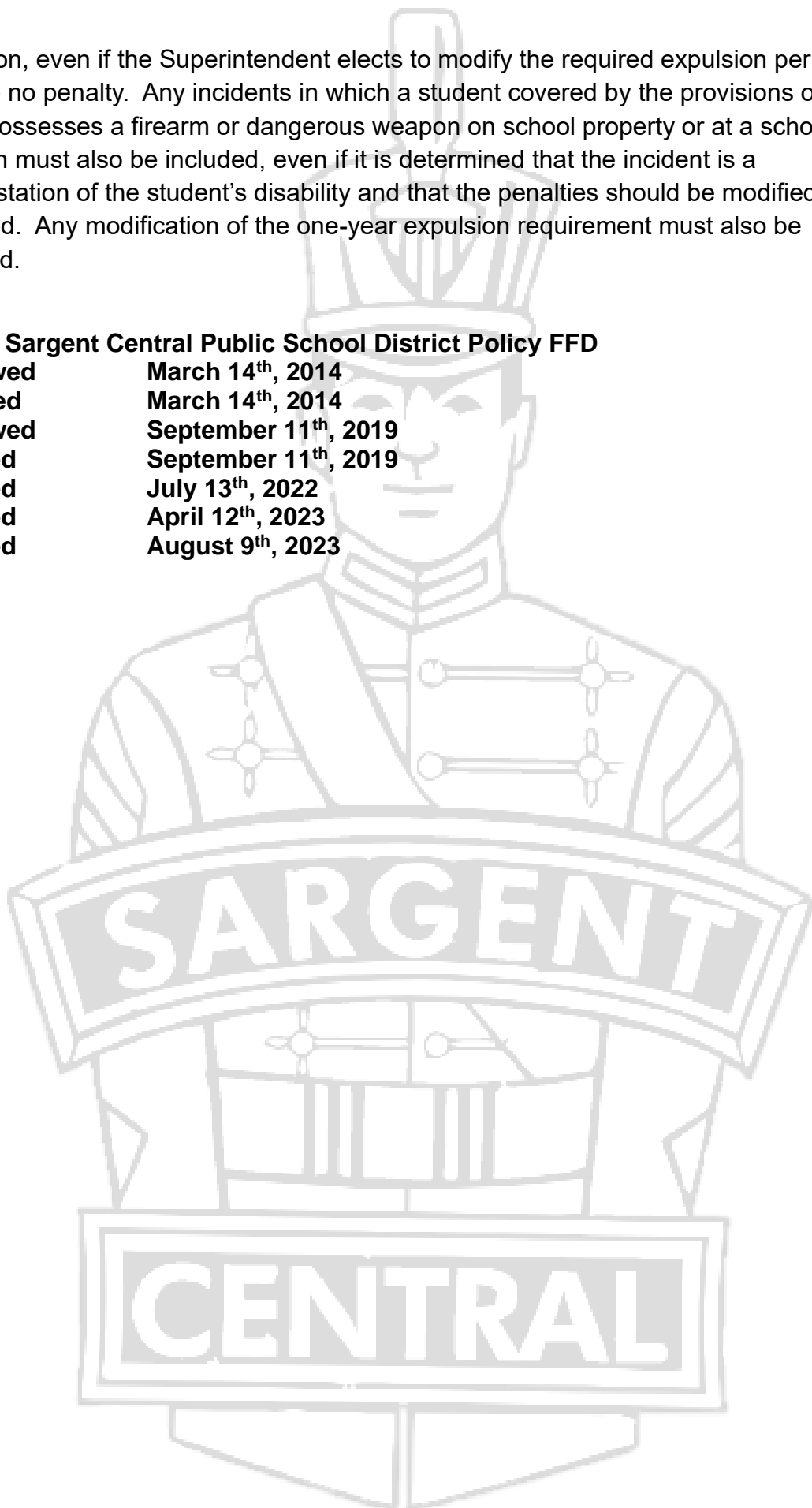
Reporting

The District shall annually report compliance with all state expulsion requirements to the Department of Public Instruction. Each incident in which a student is found to have possessed a firearm on school property or at a school function must be reported as an

infraction, even if the Superintendent elects to modify the required expulsion period or impose no penalty. Any incidents in which a student covered by the provisions of the IDEA possesses a firearm or dangerous weapon on school property or at a school function must also be included, even if it is determined that the incident is a manifestation of the student's disability and that the penalties should be modified or not imposed. Any modification of the one-year expulsion requirement must also be reported.

End of Sargent Central Public School District Policy FFD

Reviewed	March 14th, 2014
Adopted	March 14th, 2014
Reviewed	September 11th, 2019
Revised	September 11th, 2019
Revised	July 13th, 2022
Revised	April 12th, 2023
Revised	August 9th, 2023



EXTRACURRICULAR PARTICIPATION REQUIREMENTS

Philosophy

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

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

Activities Affected by this Policy

Activities affected by this policy shall include extracurricular activities as listed in the student handbook, including those not sponsored by NDHSAA.

Tobacco, Alcohol & Other Drug Use

The District prohibits tobacco, alcohol and other drug use as prohibited in the NDHSAA bylaws and abides by the NDHSAA bylaws and co-op program agreements.

Academics

For the purposes of this policy, a failing grade is defined as receiving a F in any curricular course as computed from the beginning of the semester for regular education students or, in the case of special education students, not meeting the goals of Individual Education Programs as assessed from the beginning of the semester.

In addition to NDHSAA academic standards, the Sargent Central Public School District also requires that no student may participate in a contest if they fail more than one class as computed from the beginning of the semester.

Violation of Other Misconduct Policies

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



Suspension Procedure

When the building principal, as a result of their investigation, concludes that a violation of this policy or NDHSAA bylaws has occurred, they shall issue notice to the student of this suspension.

Practice and Travel while Suspended

Students who are under suspension are encouraged to practice and travel with their respective teams. However, suspended students will not be allowed to miss school time to travel with the team.

Period of Enforcement

This policy shall be in effect 12 months per year, including those days and months when school and extracurricular activities are not in session. It shall be in effect for all extracurricular activities including those of junior high students.

Accumulation of Violations

A student's record of violations of this policy shall be cumulative commencing with promotion from grade eight to grade nine and concluding upon their graduation or completion of any school-sponsored activity extending beyond graduation (e.g., state track meet).

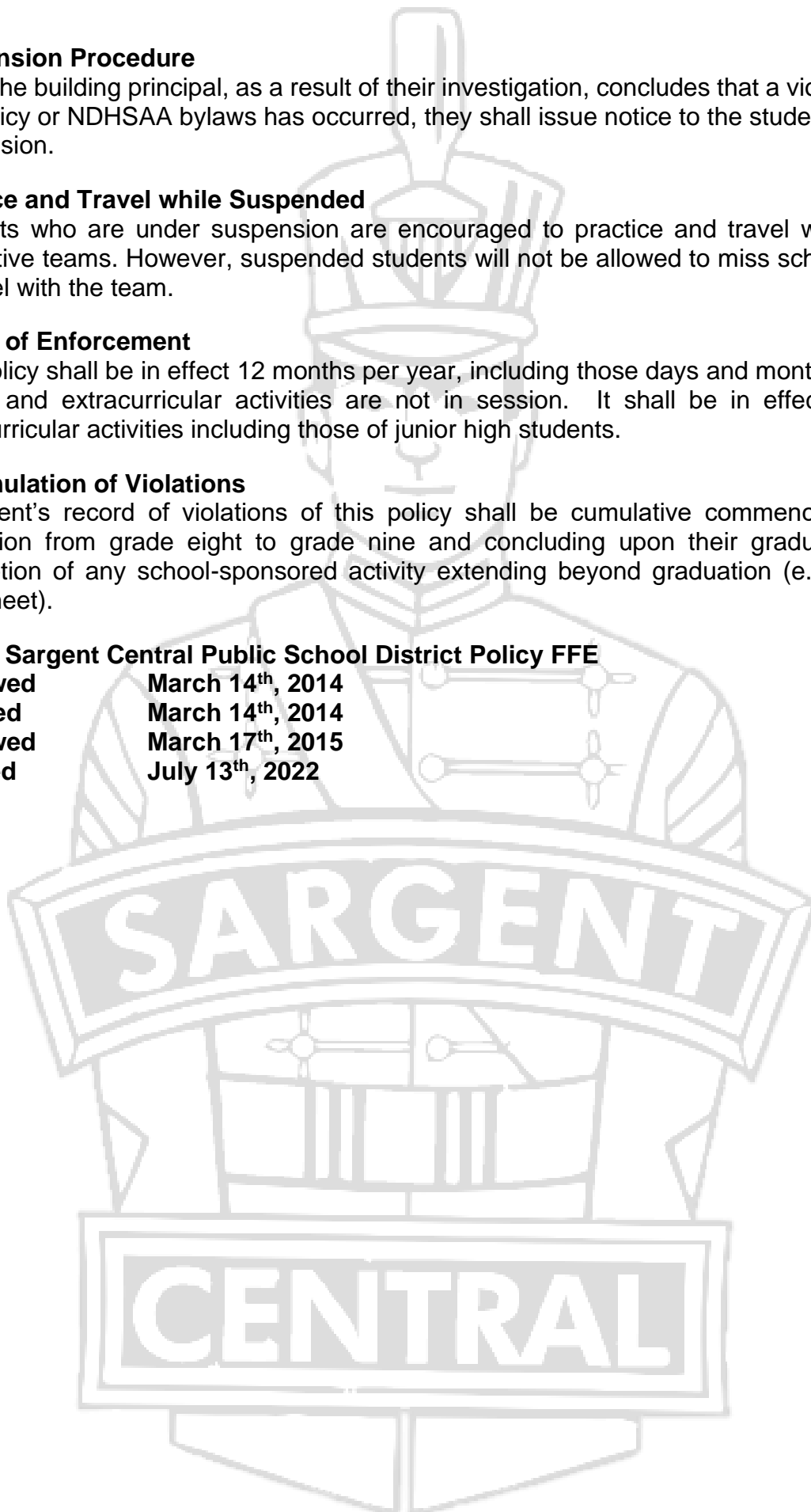
End of Sargent Central Public School District Policy FFE

Reviewed March 14th, 2014

Adopted March 14th, 2014

Reviewed March 17th, 2015

Revised July 13th, 2022



STUDENT ASSEMBLIES

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

For the purposes of this policy, primary control is defined as authority by a student to include any content in a speech so long as it is not profane, sexually explicit, defamatory, disruptive, and/or does not infringe on the rights of others. Administration shall review student speeches prior to delivery. In the event that a speech contains potential prohibited content, administrators should contact legal counsel to seek guidance before asking a student to remove such content.

End of Sargent Central Public School District Policy FFG
Reviewed March 14th, 2014
Adopted March 14th, 2014



SUSPENSION AND EXPULSION

Definitions

This policy defines the following:

- Dangerous weapon means, as defined in 18 U.S.C. 930(g)(2), a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury.
- Expulsion means the exclusion of a student, including one enrolled in an alternative education program, from school for insubordination, habitual indolence, or disorderly conduct provided the expulsion does not last beyond the termination of the current school year. A student who violates the district's weapons policy may be expelled for up to twelve months. A procedural due process hearing must be provided to the student in accordance with law and district regulation before the determination to expel a student is made.
- Firearm means, as defined in 18 U.S.C. 921, (1) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (2) the frame or receiver of any such weapon; (3) any firearm muffler or firearm silencer; or (4) any destructive device. The term does not include an antique firearm.
- School property is defined in NDCC 15.1-19-10(6)(c) as all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by a school district, and the site of any school-sponsored event or activity.
- Suspension includes in-school suspension from classes and out-of-school exclusion from classes, school property, and activities.

Suspension/Expulsion Authority

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

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

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

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

Conduct Subject to Suspension/Expulsion

Conduct, including but not limited to the following, exhibited while on school property, during a school-sponsored activity, or during a school-related activity is subject to suspension or expulsion:

1. Causing or attempting to cause damage to school property or stealing or attempting to steal school property of value;
2. Causing or attempting to cause damage to private property or stealing or attempting to steal private property;
3. Causing or attempting to cause physical injury to another individual, except in self-defense;
4. Possessing on school property or at a school function, a firearm, dangerous weapon, or any object that is used, attempted to be used, or threatened to be used to intimidate or cause bodily harm;
5. Possessing, using, transmitting, or being under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, or intoxicant of any kind;
6. Disobedience or defiance of proper authority;
7. Behavior that is detrimental to the welfare, safety, or morals of other students;
8. Truancy;
9. Offensive and vulgar language when it is obscene, defamatory, or inciteful to violence or disruptive of the educational process;
10. Threats of violence, bomb threats, or threats of injury to individuals or property;
11. Student behavior that is detrimental or disruptive to the educational process, as determined by the principal.

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

Suspension or Expulsion of Students with Disabilities

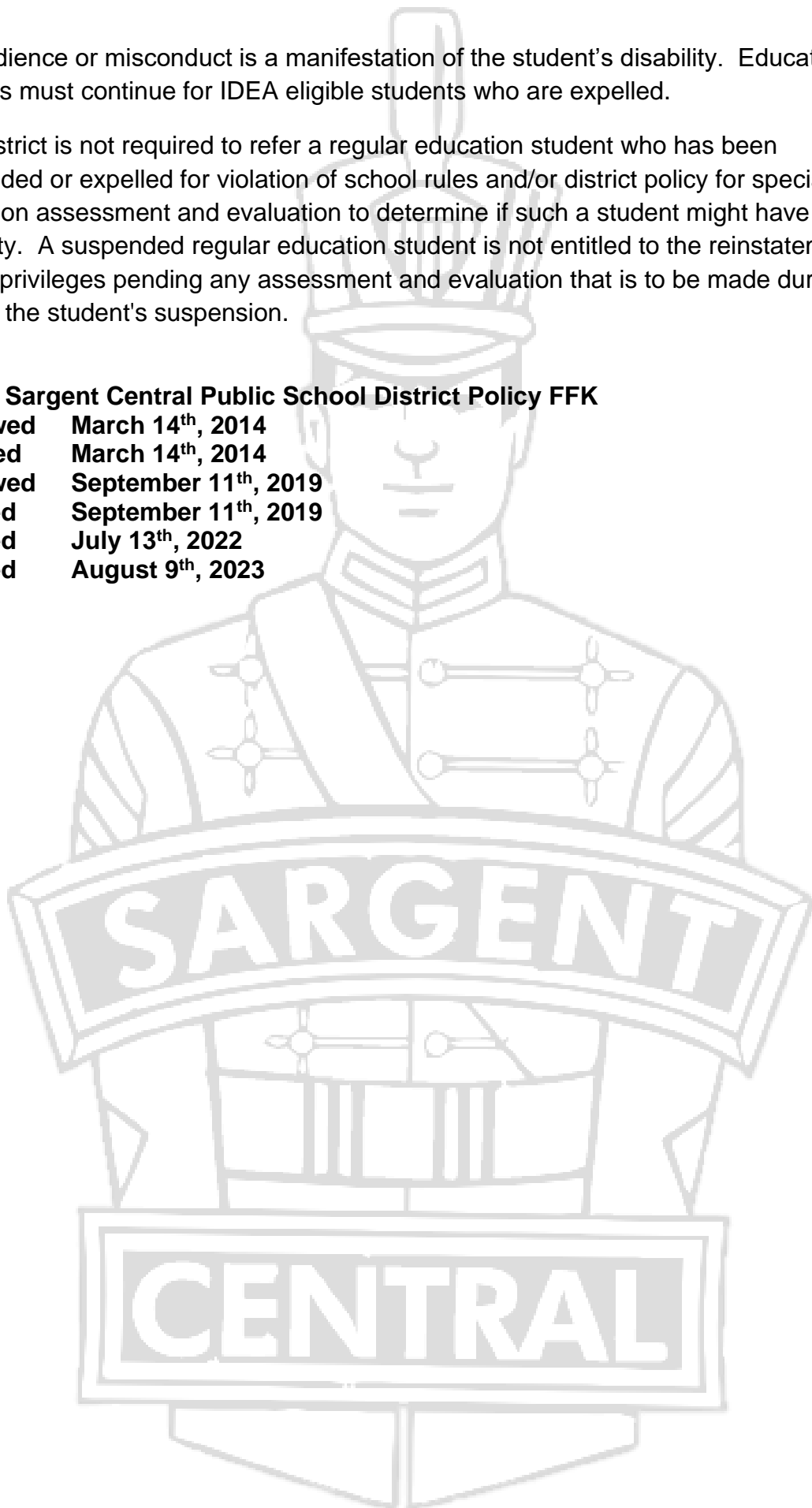
The District shall comply with the provisions of the Individuals with Disabilities Education Act when suspending or expelling a special education student. The District shall not expel any student with a disability when the student's particular act of gross

disobedience or misconduct is a manifestation of the student's disability. Education services must continue for IDEA eligible students who are expelled.

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

End of Sargent Central Public School District Policy FFK

Reviewed **March 14th, 2014**
Adopted **March 14th, 2014**
Reviewed **September 11th, 2019**
Revised **September 11th, 2019**
Revised **July 13th, 2022**
Revised **August 9th, 2023**



SUSPENSION AND EXPULSION REGULATIONS

Suspension

Suspension involves either in-school suspension or the dismissal of a student from school classes, buildings, and grounds. Suspension shall not be for more than maximum duration allowed by law. The parent(s) of the student are to be notified promptly by the school principal that suspension has been issued.

The authority to determine whether or not a student shall be suspended rests with the principal or Superintendent and can be exercised AFTER the student is given:

1. Oral or written notice of the charges against him/her.
2. An explanation of the evidence against him/her.
3. An opportunity to present his/her side of the story.

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

Expulsion

Expulsion shall not be for more than the maximum duration permitted by law and the District shall follow the procedure for conducting an expulsion hearing contained in state law. If the student involved has a disability, see the exhibit on suspension and expulsion of students with disabilities.

The responsibility of the school may not end with expulsion. The guidance department may notify other appropriate agencies when a student has been expelled.

Expulsion Pre-Hearing Notice to Student

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

1. **Notice of Charges:** The specific charges against the student shall be stated clearly enough for the student and the parent to understand the grounds of the charge and to be able to prepare a defense.
2. **Notice of Hearing:** The date of a hearing, which shall be within a reasonable time not to exceed ten school days, if the student is currently under suspension, unless a postponement is requested or agreed to by the parent.
3. **Presenting Evidence:** A student may present witnesses or documentary evidence to rebut the charges against the student.
4. **Notice of Right to Adult Representation:** The right to be represented and/or assisted at the hearing by a lawyer or other adult at the student's expense shall be explained. A parent or guardian who is unable to attend the hearing may provide written designation of another adult to assist the student in the parent's absence.

Conducting Hearings for Expulsion

1. **Nature of the Hearing:** The hearing is not a court proceeding and should not

be referred to or conducted as such. There are no specific rules of evidence or procedure that must be followed. The intent of the hearing is to determine whether the reasons offered for the proposed suspension or expulsion are supported by the evidence. The evidence offered at the hearing should be directed toward attaining the truth and shall include an opportunity for the presentation of evidence as to the existence of mitigating circumstances.

2. **The Hearing Officer:** The student is entitled to an impartial hearer of facts. If the school board has designated a hearing officer, the hearing officer may conduct the hearing unless s/he is biased or prejudiced against the student or was directly involved with the incident at issue. If the hearing officer is not qualified under this rule, another hearing officer should be called upon to conduct the hearing.
3. **Representation of the Student:** There is no requirement that the student must have representation at the hearing; however, if the student or his/her parent(s) request that s/he be represented by *an* attorney at the student's expense, the request must be granted. The school may choose to involve the parents in the disciplinary proceedings from the outset.
4. **A Recording of the Hearing:** A record of the hearing should be made to substantiate that the required elements of procedural due process were afforded the student. This can be accomplished by several methods. The preferred method of recording is tape recording or court reporter transcription of the entire proceeding. All evidence that is introduced in the form of written documents should be marked so as to identify the origin and order of introduction (e.g., School Exhibit 1, 2, 3, and Student Exhibit 1, 2, 3). All records of a hearing should be kept at least five years and until the expelled student reaches the age of 19 years.
5. **Open or Closed Hearing:** Since an expulsion hearing before a designated hearing officer or the school board is subject to the Family Rights and Privacy Act (FERPA) the hearing shall be closed unless the parent/eligible student waives their rights under FERPA in writing.
6. **Witnesses in the Room:** At the request of the school representative or the student or his/her parents, witnesses may be excluded from the room except when offering testimony. The hearing officer should make this option known at the beginning of the hearing, before any evidence is presented. At no time may the student or his/her parent or representative be excluded from the room.
7. **Cross-Examination:** The hearing officer should permit cross-examination if any circumstances indicate that it is necessary in order to reach the truth or to otherwise conduct a hearing, which is fundamentally fair.
8. **Sworn Witnesses:** Witnesses should be given an oath or affirmation before offering testimony.
9. **Evidence:** If, at the conclusion of the hearing, the reasons given for the proposed expulsion are supported by the evidence offered at the hearing, the student may be expelled. The action of the student does not have to be proven beyond a reasonable doubt as in a criminal trial, but the action must be supported by the evidence. There must be evidence presented upon which the hearing officer can conclude that the student did do the alleged acts. In determining whether there is evidence to support an expulsion, the hearing officer may take into consideration only that evidence presented at the hearing.

10. **Making the Decision and Giving Notice to the Parties:** After the hearing, the hearing officer decides whether to expel a student. The hearing officer has the responsibility of promptly informing the student, his or her parents, the student's counsel, or his or her representative in writing of the decision. The decision must be specific enough so that a reasonable person can be advised of the finding and basis for the decision to expel. The decision should also contain information on how to appeal to the Board, if the Board did not serve as the hearing officer
11. **Appeal to School Board:** Except when the Board served as the hearing officer, an appeal of the hearing officer's decision may be made to the Board based upon a review of the record of the expulsion hearing. This decision should be reviewed at the next regular meeting of the Board, except when good cause is shown for calling a special meeting for that purpose. Since the expulsion will affect or become a part of the student's educational record, the appeal hearing before the Board will be in executive session unless the parent/guardian signs a written waiver of their rights under the Family Educational Rights and Privacy Act.

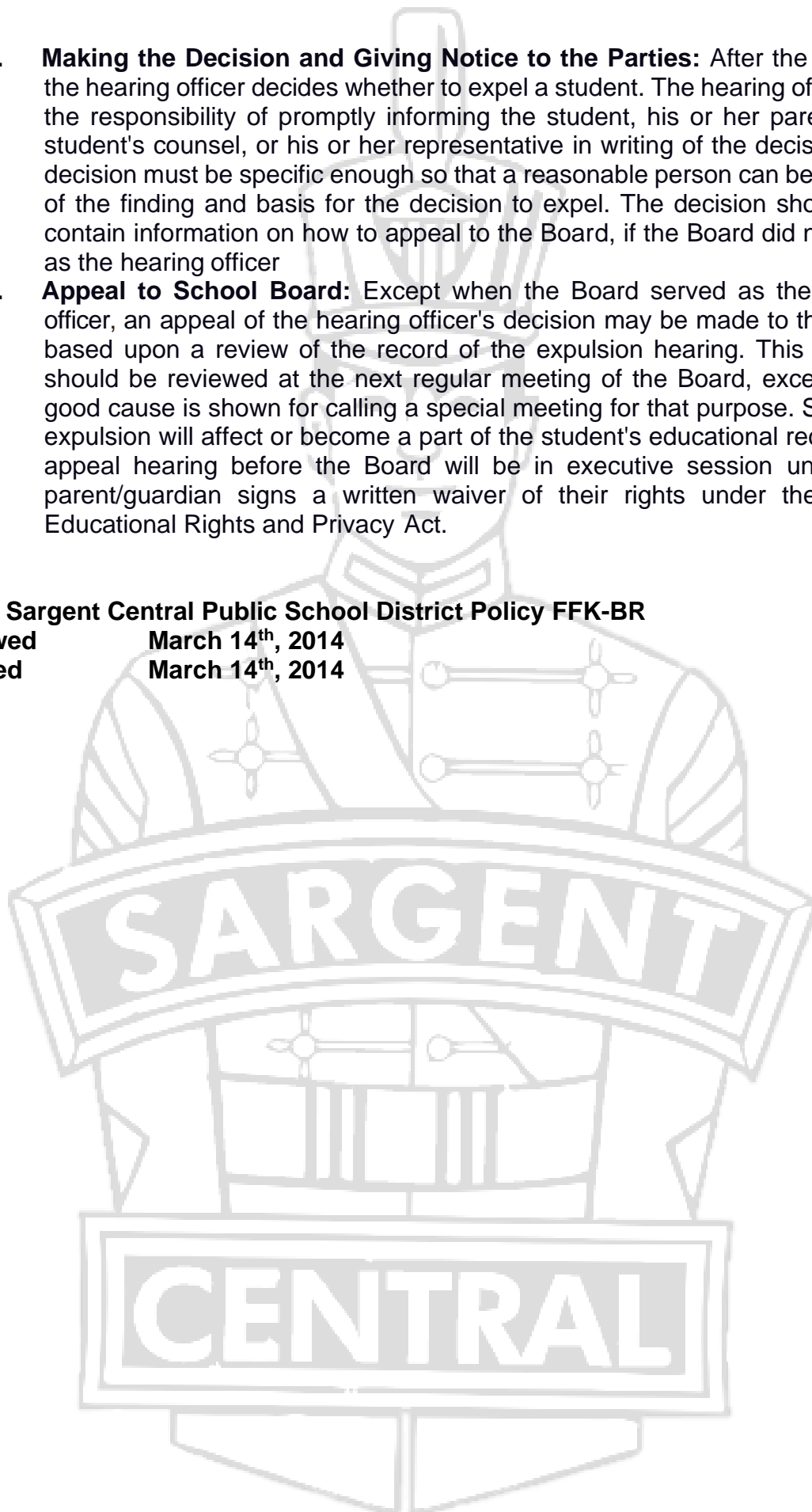
End of Sargent Central Public School District Policy FFK-BR

Reviewed

March 14th, 2014

Adopted

March 14th, 2014



STUDENT RIGHTS AND RESPONSIBILITIES

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

These rights and responsibilities include:

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

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

End of Sargent Central Public School District Policy FG

Reviewed March 14th, 2014

Adopted March 14th, 2014

The logo for Sargent Central Public School District is a large, light gray watermark in the background. It features a central shield with a banner across the top containing the word "SARGENT" and another banner at the bottom containing the word "CENTRAL". The shield itself contains a stylized figure or symbol. The entire logo is semi-transparent and serves as a background for the text.

CENTRAL

STUDENT EDUCATION RECORDS AND PRIVACY

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

Definitions

Directory information is defined as personally identifiable information contained in a student education record that is generally considered not harmful or an invasion of privacy if disclosed and includes:

- a. Name (first and last)
 - b. Address
 - c. Date and place of birth
 - d. Dates of attendance
 - e. Degrees, honors, and awards received
 - f. Grade level
 - g. Most recent school attended
 - h. Participation in officially recognized activities and sports
 - i. Photograph
 - j. School email address
 - k. Student identification number if it cannot be used alone to access an educational record and is not the student's social security number
 - l. Telephone listing
 - m. Weight and height of members of athletic teams
- *Education records* are records that are directly related to a student and are maintained by the District or by a party acting on behalf of the District. These records include but are not limited to grades, transcripts, class lists, student course schedules, health records, and student discipline files. This definition excludes law enforcement records and records in the sole possession of the maker used only as a memory aid.
 - *Eligible student* means a student who has reached the age of 18.
 - *FERPA* stands for the Family Educational Rights and Privacy Act.
 - *Legitimate educational interest* is defined as access that is needed in order for a school official to fulfill their professional responsibility.
 - *Parent* means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or a guardian.
 - *Permanent record* is defined as a record containing a student's name, address, phone number, record of grades, years enrolled, courses attended, and grades completed.
 - *Personally Identifiable Information* (PII) includes information maintained in the student's education record that could be used alone or in combination to trace a student's identity directly or indirectly and would allow a reasonable person, who

does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.

- *Record* means any information recorded in any way including, but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm, and microfiche.
- *School official* is defined as an individual who has a legitimate educational interest in accessing student educational records and is affiliated with the District in one of the following capacities:
 - a. An individual employed by the District in an administrative, instructional, or support staff position;
 - b. School board members; or
 - c. Contractors, consultants, volunteers, service providers, or other party with whom the District has outsourced institutional services or functions for which the District would otherwise use employees; records provided to these third parties must remain directly under the District's control for purposes of maintenance and use and the third party must agree to comply with 34 C.F.R. 99.33(a). Examples include, but are not limited to, school resource officers, interns, student teachers, the District's attorney, PowerSchool, SLDS, learning management software, hot lunch tracking software, and district alert systems.

Designation and Responsibilities of Privacy Officers

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

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

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

Information Release Safeguards

1. Access by Parents and Eligible Students

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

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

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

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

3. Data Breaches

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

4. Information Storage and Destruction

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

5. **Directory Information**

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

The Board approves release of directory information as follows:

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

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

6. **Personally Identifiable Information (PII)**

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

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

- a. The District receives information under 42 U.S.C. 14071 and applicable federal guidelines about a student who is a registered sex offender under section 170101 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14071), and the District has a need to disclose the student's status as a sex offender for safety purposes;
- b. In connection with a health or safety emergency under the conditions described in 34 C.F.R. 99.36;
- c. If records have been de-identified by the District; third party individuals and entities that receive de-identified information shall be included on the District's master list of individuals and entities having access to student information
- d. To a school official who has a legitimate educational interest in the education records if the following conditions are satisfied:
 - i. Access shall be limited to only information the school official has a legitimate need to know;
 - ii. School officials shall use the information only for the purposes for which the disclosure was made and shall not re-disclose the information to any other party without proper consent or legal authority; and
 - iii. Titles of individuals and entities considered school officials shall be included on the district's master list of individuals and entities having access to student information;
- e. To a court without a court order or subpoena when the District initiates legal action against a parent/student or a parent/student initiates legal action against the District
- f. To accrediting bodies for purposes of accreditation
- g. To an organization conducting a study for the District to develop, validate, or administer a predictive test; administer student aid programs; or improve instruction so long as the organization has entered into a written agreement with the Board in accordance with law; if the organization is conducting a survey of students, the District shall ensure parents are notified in compliance with policy GCC and shall obtain parental consent, if applicable (see #7).
- h. To another school in which the student seeks, intends to, or is already enrolled
- i. To authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the U.S. Secretary of Education, and state and local educational authorities for audit or evaluation of federal or state supported education programs or for the enforcement of or compliance with federal legal requirements that relate to those programs;
- j. To comply with a judicial order or lawfully issued subpoena; the District must make reasonable attempt to contact the parent or eligible student before disclosure unless the court order instructs otherwise; or

- k. To the parents of an eligible student who is also a "dependent student" as defined in IRS Section 152.

The District will take measures necessary to ensure that individuals and entities to which PII is released shall only have access to information necessary to fulfill their responsibilities under law and to the District. Measures may include, but not be limited to, controlling access to computer data through password restrictions, controlled access to paper records, and ensuring that any information access agreements required by law are properly executed by the Board.

7. When Parental Consent is Required

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

- a. The Board has approved release of PII to an individual or entity not meeting the definition of school official under law and/or not meeting an exception to the parental consent requirement under FERPA;
- b. The Board has approved release of directory information, other than or in addition to name, or PII to an online service provider for commercial purposes and the impacted students are under the age of 13;
- c. When administering a survey funded in whole or in part by the U.S. Department of Education and concerning any of the following areas:
 - i. Political affiliations or beliefs of the student or the student's parent;
 - ii. Mental or psychological problems of the student or the student's family;
 - iii. Sex behavior or attitudes;
 - iv. Illegal, anti-social, self-incriminating, or demeaning behavior;
 - v. Critical appraisals of other individuals with whom respondents have close family relationships;
 - vi. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
 - vii. Religious practices, affiliations, or beliefs of the student or student's parent; or
 - viii. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

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

504 Plans and Individual Educational Programs (IEPs)

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

Policy Violations

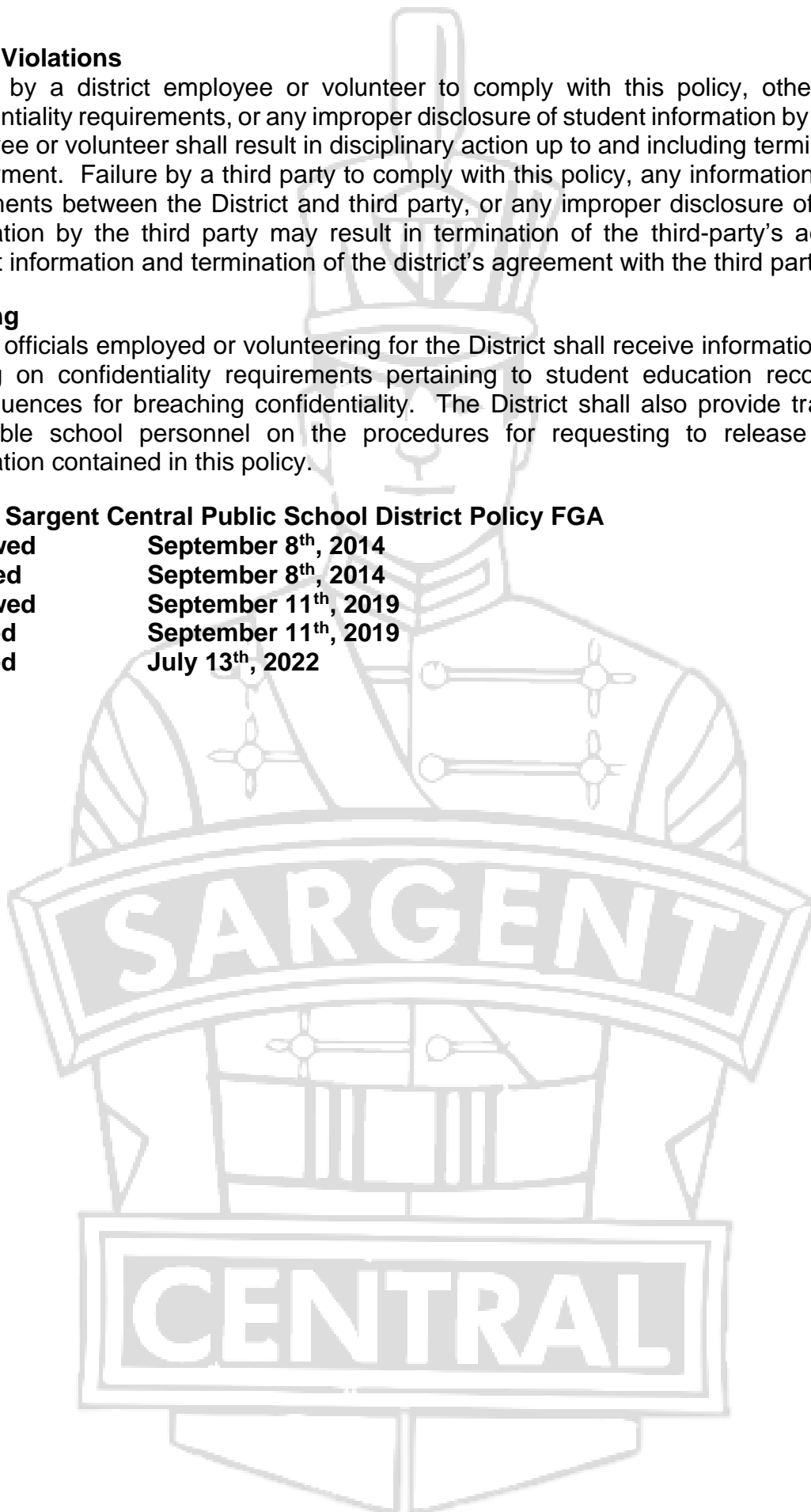
Failure by a district employee or volunteer to comply with this policy, other district confidentiality requirements, or any improper disclosure of student information by a school employee or volunteer shall result in disciplinary action up to and including termination of employment. Failure by a third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

Training

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

End of Sargent Central Public School District Policy FGA

Reviewed	September 8th, 2014
Adopted	September 8th, 2014
Reviewed	September 11th, 2019
Revised	September 11th, 2019
Revised	July 13th, 2022



STUDENT EDUCATION RECORDS ACCESS & AMENDMENT PROCEDURE

Reviewing an Educational Record

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

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

Amending an Educational Record

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

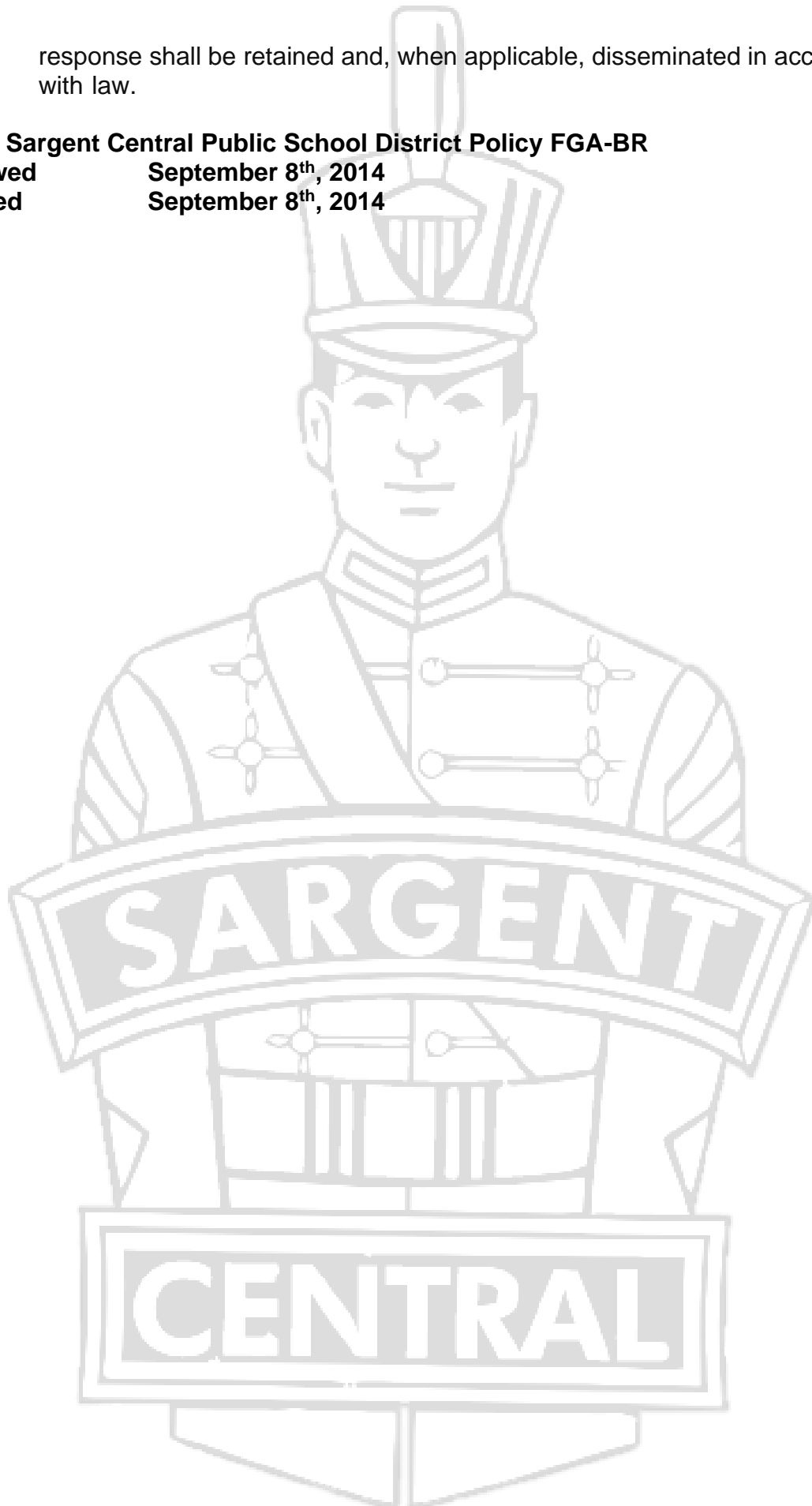
1. Any request to amend an educational record shall be made in writing and submitted to the building principal.
2. The principal shall review the request within a reasonable time and approve or deny it. The principal's decision shall be submitted to the parent/guardian/eligible student. If the principal denies the amendment request, s/he shall inform the parent/guardian/eligible student of his/her right to request an appeal hearing.
3. Requests for an appeals hearing shall be submitted to the Superintendent. The hearing shall be held within a reasonable time after the appeal request has been made.
4. The Superintendent shall serve as the hearing officer. A representative of the parent/guardian/eligible student's choosing may accompany the parent/guardian/eligible student at the parent/guardian/eligible student's expense. The parent/guardian/eligible student shall have a full and fair opportunity to present evidence related to the amendment request.
5. The Superintendent's decision is final and binding and shall be -submitted to the parent/guardian/eligible student at a reasonable time after the hearing.
6. If the Superintendent denies the amendment request, s/he will notify the parent/guardian/eligible student within a reasonable time of his/her right to submit a written response commenting on the contested material and/or explaining the disagreement with the hearing officer's decision. This written

response shall be retained and, when applicable, disseminated in accordance with law.

End of Sargent Central Public School District Policy FGA-BR

Reviewed September 8th, 2014

Adopted September 8th, 2014



STUDENT PRAYER DURING NON-INSTRUCTIONAL TIME

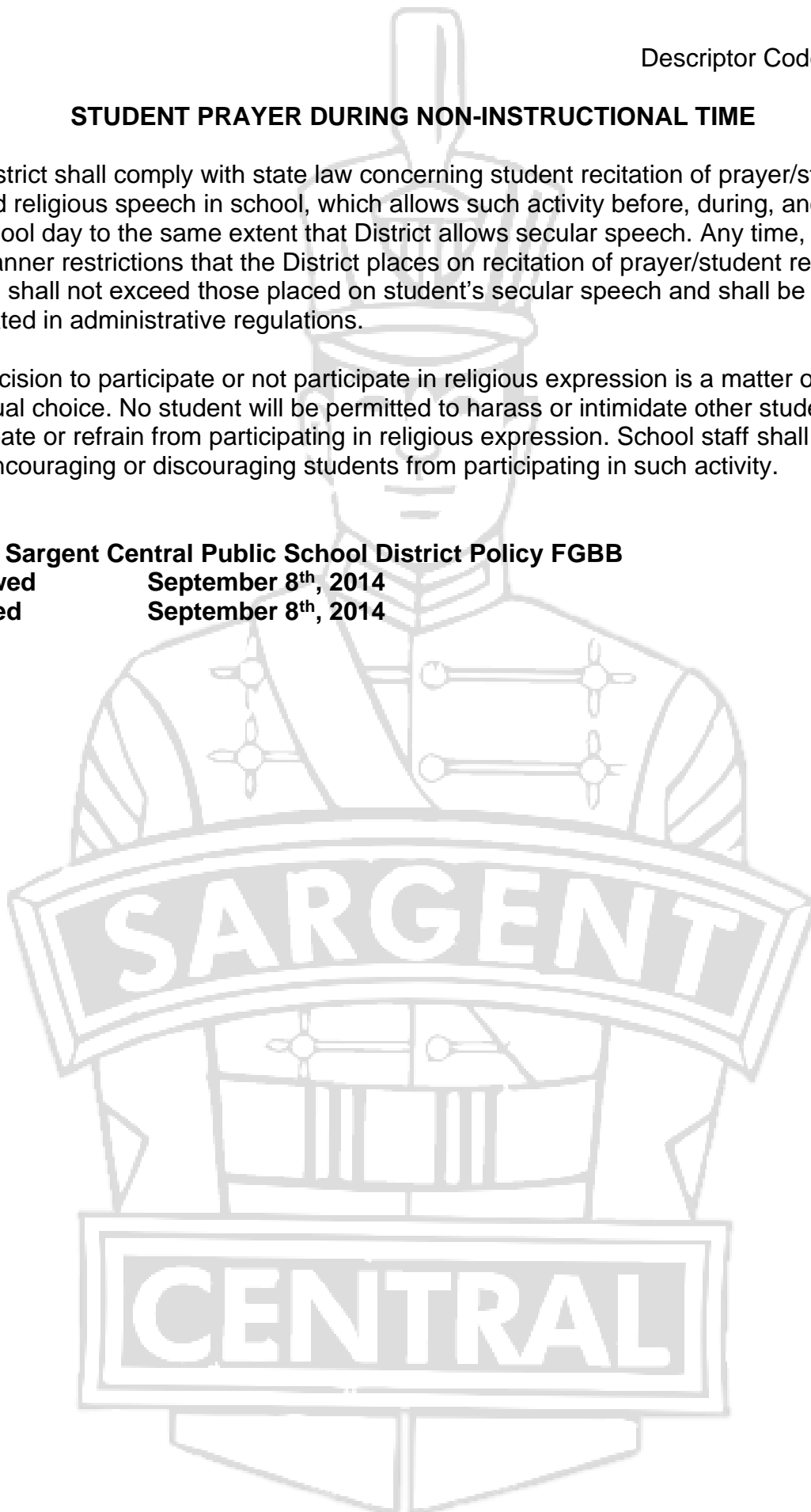
The District shall comply with state law concerning student recitation of prayer/student-initiated religious speech in school, which allows such activity before, during, and after the school day to the same extent that District allows secular speech. Any time, place and manner restrictions that the District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

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

End of Sargent Central Public School District Policy FGBB

Reviewed September 8th, 2014

Adopted September 8th, 2014



SEARCHES OF LOCKERS

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

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

Search Procedure

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

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

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

Use of Trained Dogs & Involvement of Law Enforcement

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

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

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

End of Sargent Central Public School District Policy FGCA

Reviewed

April 25th, 2018

Adopted

April 25th, 2018

SEARCHES OF STUDENTS & STUDENTS' PERSONAL PROPERTY

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

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

Search Procedure

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

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

Searches of Vehicles

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

Involvement of Law Enforcement

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

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

Reporting Requirements

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

End of Sargent Central Public School District Policy FGCB

Reviewed April 25th, 2018

Adopted April 25th, 2018

STUDENT HANDBOOKS

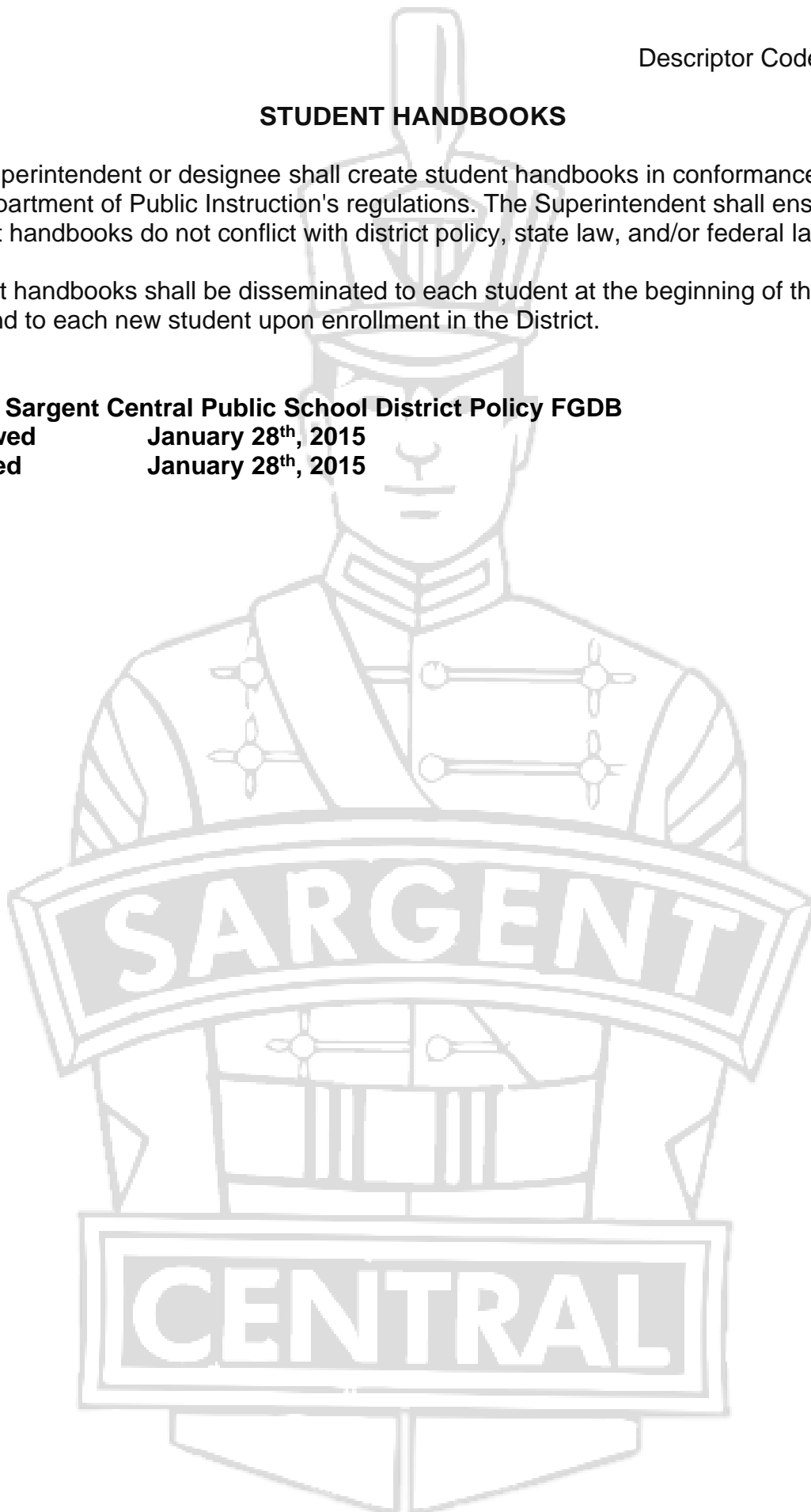
The Superintendent or designee shall create student handbooks in conformance with the Department of Public Instruction's regulations. The Superintendent shall ensure that student handbooks do not conflict with district policy, state law, and/or federal law.

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

End of Sargent Central Public School District Policy FGDB

Reviewed January 28th, 2015

Adopted January 28th, 2015



STUDENT PUBLICATIONS & FREEDOM OF EXPRESSION

Definitions

For the purposes of this policy:

- *School-sponsored media* is defined in NDCC 15.1-19-25(1)(b) as any material that is prepared, substantially written, published, or broadcast by a student journalist at a public school, distributed or generally made available to members of the student body, and prepared under the direction of a student media adviser. The term does not include any media intended for distribution or transmission solely in the classroom in which the media is produced.
- *Student journalist* is defined in NDCC 15.1-19-25(1)(c) as a public-school student who gathers, compiles, writes, edits, photographs, records, or prepares information for dissemination in school-sponsored media.
- *Student media adviser* is defined in NDCC 15.1-19-25(1)(d) as an individual employed, appointed, or designated by a school district to supervise or provide instruction relating to school-sponsored media.

Purpose

The Sargent Central Public School District believes that freedom of expression and press freedom are fundamental principles in a democratic society that provide all citizens with the right to engage in a vigorous discussion of ideas, and that a robust and free student press is critical to the development of informed and civic-minded adults. Freedom of expression through school-sponsored media is protected by the First Amendment to the United States Constitution and state law.

The District shall ensure all students enjoy free speech and free press protections related to school-sponsored media, and to encourage students to become educated, informed and responsible members of society.

No expression made by students in the exercise of free speech or free press rights shall be deemed to be an expression of school or district policy.

Expectations

Student journalists are responsible for determining the news, opinion, feature, and advertising content of school-sponsored media. A student journalist has the right to exercise freedom of speech and of the press in school-sponsored media, regardless of whether the media is supported financially by the school district, by use of facilities of the school district, or produced in conjunction with a class in which the student is enrolled.

All school-sponsored media shall be supervised by a student media adviser. School-sponsored media shall not be reviewed by an administrator unless the publication is believed to contain restricted content as listed in this policy.

No student journalist or student media adviser shall be dismissed, suspended, disciplined, or otherwise censored, penalized, or punished when acting in accordance with law and district policy.

Prohibitions

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

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

Appeals

A decision to prohibit publication and distribution of a student publication with restricted content shall be made by the building principal and may be appealed to the Superintendent. The Superintendent shall investigate and issue a decision in a timely manner. The Superintendent's decision may be appealed to the Board within 15 business calendar days after the Superintendent has issued his/her decision.

Dissemination of School-Sponsored Media

The following time, place, and manner restrictions apply to dissemination of school-sponsored media, e.g., student newspapers shall only be placed in receptacles near school entrances, no school-sponsored media shall be distributed in the classroom with the exception of journalism courses, etc.

End of Sargent Central Public School District Policy FGDD

Reviewed January 31st, 2018

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Revised July 13th, 2022



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