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# ***Student & Parent Handbook 2022-23***

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***Home of the Braves***

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**Turtle Mountain Community High School**

1350 Braves Boulevard  
PO Box 440 Belcourt, N.D. 58316  
701-477-6471

**Principal**

Mr. Melvin "John" Laducer

Assistant Principal

Career & Technical Education Director

Special Education Director

Guidance Director

Activities Director

Student Services Specialist

Mr. Ryan Keplin

Mr. Brad LaRocque

Mrs. Danielle Sloan

Mrs. Gaileen Davis

Dr. Shane Martin

Mrs. Marilyn Laducer

**Belcourt School District #7**

Dr. Michelle Thomas, Superintendent

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## STAFF LIST

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### ***Alternative Program***

- DeCoteau, Wallace
- LaFountain, Michelle

### ***CTE Department***

- Malaterre, Bonita
- McGillis, Darryl
- McGillis, Jessica
- Parisien, Wayne
- Poitra, Eric
- Poitra, Weston
- Garrison, Coy

### ***English Department***

- Chase, Maggie
- Delong, Loretta
- Laducer, Sheena
- Boswell, JaNae

### ***Guidance Department***

- Brorby, Misty-Addiction Counselor
- Davis, Beverly-Social Worker
- Davis, Gaileen-Guidance Counselor
- Jollie, Carol-Counselor/Career Development
- Schroeder, Marlene-Guidance Counselor
- Welk, Tabitha-SPED Counselor
- Williams, Jessica-Social Worker

### ***Information Technology***

- Gillis, Christopher-Computer Technician

### ***Librarian***

- Frederick, Jackie

### ***Math Department***

- Bergisnki, Alicia
- Delorme, Betty
- Keplin, Cindy
- Schoenborn, Kimberly
- Thomas, Gary

### ***Non-Instructional Staff***

- TBA-Custodian
- Baker, Gary-Food Service Worker
- Blackwell, Nicole-Activities Aide
- Brunelle, Sharon-Parent Involvement Aide/Tuancy Prevention Team



- Gourneau, Michael-Custodian
- LaFontaine, Esther-School Lunch Coordinator
- LaFountain, Dana-Head Cook
- LaFromboise, Max-Custodian
- Malaterre, Paula-Food Service Worker
- TBA - Food Service Worker

#### ***Office Staff***

- Azure, Sheena-Registrar
- LaRocque, Candace-Career Advisor
- LaVallie-Kristy-Attendance Aide
- Keplin, Paula R.-Data Coordinator
- Moors, Kimberly-Principal's Secretary
- DeCotau, LeeAnn--Guidance/Special Education Secretary
- TBA-General Secretary
- Parisien, Kimberly-Business Technician
- Pays, Lisa-School Nurse

#### ***Paraprofessionals***

- Azure, Shelly
- Baumgartner, Loren
- Davis, Stacy
- Demery, John
- Keplin, Paula A.
- Laducer, Betty Lou-Classroom Paraprofessional/Truancy Team
- LaRocque, Crystal
- Marcellais, Gail
- Marcellais, Patti
- Parisien, Nathan
- Thomas, Christine
- Zerr, Shanyce

#### ***Related Arts Department***

- Azure, Stacy
- Blue, Mary
- DeCoteau, Jerome
- Peltier, Rodney "Kurt"
- Wallette, Paulette

#### ***Science Department***

- Aird, Ashley
- Keplin, Kylie
- Laducer, Jason
- Parisien, Stacy
- Rendon, Annadine

#### ***Security***

- Allery, Terry-Lead Security
- Azure, Christopher
- Grant, Derrick

#### ***Social Students Department***

- DeCoteau, Alex

- DeCoteau, Jacob
- Hardy, Kyle
- Nadeau, Jonathon
- Smith, Eric

***Special Education Department***

- Azure, Nancy
- Brien, Geoffrey-Paraprofessional
- Davis, Sara
- Davis, Shelby-Instructor
- DeCoteau, Chelsi – Transition
- DeCoteau, Leslie-Paraprofessional
- Gefroh, Sherry-Instructor
- Grant, Samantha-Instructor
- Hodell, Sharene-Instructor
- Laducer, Emilie-Paraprofessional
- Laducer, Spencer-Paraprofessional
- Marcellais-Zaste, Jessica-Instructor
- Nelson, Barbara-Paraprofessional
- Olson, Scarlet-Instructor
- Smith, Troy – Paraprofessional
- St.Claire, Lynn-Speech/Language Pathologist
- Trottier, Erin-Instructor
- Unger, Chelsea – Paraprofessional

# 7 Period Day Schedule 2022-2023

Breakfast	7:45 - 8:02	17 Minutes	
Passing	8:02 - 8:06	4 Minutes	
<b>1st Period</b>	<b>8:06 - 8:56</b>	50 Minutes	
Passing	8:56 - 9:00	4 Minutes	
<b>2nd Period</b>	<b>9:00 - 9:50</b>	50 Minutes	
Passing	9:50 - 9:54	4 Minutes	
<b>HOOP</b>	<b>9:54 - 10:10</b>	16 Minutes	
<b>Braves Hour</b>	<b>10:10 - 10:40</b>	30 Minutes	
Passing	10:40 - 10:44	4 Minutes	
<b>3rd Period</b>	<b>10:44 - 11:34</b>	50 Minutes	
Passing	11:34 - 11:38	4 Minutes	
<b><u>Bottom Floor</u></b>		<b><u>Top Floor</u></b>	
<b>Lunch</b>	11:38 - 12:03	<b>4th Period</b>	<b>11:38 - 12:28</b>
Passing	12:03 - 12:07	Passing	12:28 - 12:32
<b>4th Period</b>	<b>12:07 - 12:57</b>	<b>Lunch</b>	12:32 - 12:57
Passing	12:57 - 1:01	4 Minutes	
<b>5th Period</b>	<b>1:01 - 1:51</b>	50 Minutes	
Passing	1:51 - 1:55	4 Minutes	
<b>6th Period</b>	<b>1:55 - 2:45</b>	50 Minutes	
Passing	2:45 - 2:49	4 Minutes	
<b>7th Period</b>	<b>2:49 - 3:39</b>	50 Minutes	



## 2022/23 High School Calendar

August 2022						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

September 2022						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

October 2022						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

November 2022						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

December 2022						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

January 2023						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

February 2023						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

March 2023						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

April 2023						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

May 2023						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

	Professional Development
	No School
	Holidays
	Braves Friday
	Last Braves Friday
	Regular School Day-P/T Conf.
	Early Out at 2:30
	Paid Holidays
	Storm Day

Quarter 1: August 22 - October 21
Quarter 2: October 24 - January 12
Quarter 3: January 17 - March 16
Quarter 4: March 20 - May 25

## MESSAGE FROM THE PRINCIPAL

Welcome to the 2022-23 school year. This handbook contains school policies and regulations, answers to your questions concerning academics, attendance, school activities, and other pertinent information. Please take time to read it carefully and keep it for future reference. It clearly defines what is expected of you as a student and your rights as a member of Turtle Mountain Community High School.

## TURTLE MOUNTAIN EDUCATION SYSTEM MISSION STATEMENT

"Ensure excellence in education and respect for the local culture."

## TURTLE MOUNTAIN EDUCATION SYSTEM VISION STATEMENT

"Excellence in academics, community and cultural education- where every employee is a teacher, every parent a partner, every child a winner."

## HIGH SCHOOL VISION STATEMENT

"Quality learning for all."

## EDUCATIONAL PHILOSOPHY

We believe the Great Spirit put us on Mother Earth to be kind, respecting one another and all things. We believe the Turtle Mountain Community School must reflect the local culture. Recognizing each of our children as unique and individual people of our Turtle Mountain community, the school in cooperation with the parents will provide educational opportunities for all students to be competent culturally, physically, emotionally, socially and academically.

## PEP SONG

Three Cheers for Belcourt High School. We're bound to win. Five like a stone wall, Forward, Center, Rah, Rah, Rah. Now let us cheer them onward. Never give in. Cheers, Cheers for victory for we shall win! Braves, V-I-C-T-O-R-Y, Braves want VICTORY!

## SCHOOL COLORS

Maroon, Gold, Black

## MASCOT



## BRAVE

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## GENERAL INFORMATION

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### Equal Employment and Educational Opportunities

The Belcourt Public School District # 7 & 100-297 Grant Board is committed to a policy of equal opportunity for all employees and students. Discrimination on the basis of sex, race, creed, marital status, age, handicap, national origin, or color is prohibited.

The school system shall establish and maintain an atmosphere, in which all persons can develop attitudes and skills for effective, cooperative living, including:

- a. respect for the individual regardless of economic status, physical or intellectual ability, race, creed, color, religion, sex, or age.
- b. respect for cultural differences.
- c. respect for economic, political, and social rights of others; and
- d. respect for the right of others to seek and maintain their own identities.

The school system shall strive to remove all vestiges of prejudice and discrimination in employment, assignment, and promotion of personnel; in location and use of facilities; in curriculum development and instructional materials; and in the availability of programs for children.

The school system shall continue to reexamine thoroughly all parts of the curriculum to make sure that the instructional materials accurately portray the various ethnic groups in our society.

To ensure implementation of this policy, the Superintendent will:

1. appoint an affirmative action officer.
2. annually disseminate information emphasizing that the Belcourt Public School District #7 & 100-297 Grant Board is an Equal Opportunity Employer.
3. develop a complaint and appeals procedure for use by any employee or student who believes that he or she has been discriminated against, denied a benefit, or excluded from participation in a district education program or activity on the basis of race, color, national origin, sex, age, marital status or handicapping condition.

**Belcourt Public School District #7 & 100-297 Grant Board      Descriptor Code: DABA**  
**EXHIBIT Descriptor Code: FGA-E**

### Section 504 and Americans with Disabilities Act - Notice of Non-Discrimination

Applicants for admission and employment, students, parents, persons with disabilities, employees, and all unions or professional organizations holding collective bargaining or professional agreements with Turtle Mountain Community School are hereby notified that this school does not discriminate on the basis of race, color, national origin, sex, age, or disability in admission or access to, or treatment or employment in, its programs and activities. Any person having inquiries concerning the school's compliance with the regulations implementing Title VI, Title IX, The American with Disabilities Act (ADA) or Section 504 is directed to contact: Keith LaVallie, Belcourt School District Human Resource Officer, 4776471 ext. 3240 or Dr. Shane Martin, TMCS Activities Director at 477-6471 ext. 3224 who has been designated by the school to coordinate efforts to comply with the regulations regarding non-discrimination.

## Guidance Department

12<sup>th</sup> Grade Counselor  
Drug & Alcohol Counselor  
504 Coordinator/Social Worker  
Special Education Social Worker  
10<sup>th</sup> Grade Counselor/Social Worker  
9<sup>th</sup> Grade Counselor  
11<sup>th</sup> Grade Counselor

Gaileen Davis  
Misty Brorby  
Bev Davis  
Tabitha Welk  
Jessica Williams  
Carol Jollie  
Marlene Schroeder

Students must have a pass to visit guidance personnel unless it is an emergency situation.

The purpose of the guidance department is to:

1. Provide students support, guidance, and assist them in finding solutions to personal and/or academic issues.
2. Assist students in finding a place in the extra-curricular program.
3. Assist students in exploring and pursuing appropriate career/post-secondary planning.
4. Provide students with information on available scholarships, grants, and other forms of financial assistance.
5. Students will be encouraged to share this information with parents.
6. Administer aptitude, interest and achievement tests.

## Available School/Community Resources:

Turtle Mountain Schools Counseling/Psychology Departments:	(701) 477-6471
Turtle Mountain Elementary	Ext. 3302
Turtle Mountain Middle School	Ext. 3297
Turtle Mountain Community High School	Ext. 3251
Indian Health Service Human Services	(701) 477-8658
Belcourt BIA Law Enforcement	(701) 477-6134
Lake Region Outreach	(701) 477-8272
5 <sup>th</sup> Generation Drug/Alcohol Services	(701) 477-3121
Suicide Hotline 1-800-784-2433	1-800-SUICIDE
Turtle Mountain Tribal Child Welfare	(701) 477-5688
Rolette County Social Services	(701) 477-3141

## Building Regulations

- Students are subject to the authority of all staff members anywhere in the school building or grounds.
  - As a general rule, all evening activities are to be completed in the building no later than 10:00 p.m. to allow the janitorial staff to complete the cleaning of the building. All staff and students will be asked to leave at that time. Any exceptions will be made to the Athletic/Activities Director's office for approval and proper notice will be sent to facilities management, staff, and administration.

### Building Hours

Any student remaining after school, must be involved in an activity or remain in their designated area if they are studying or reading and must be with a supervisor at all times. If students are not involved in an activity, they are to leave the school after their last class. School hours are as follows: School opens at 6:00a.m. and closes at 6:00p.m. Staff access is allowed from 6:00a.m.-6:00p.m.

### Building Care

All of us share, in some way, in the care of the school building, furniture and equipment. Immediately report any damage to both the custodians and the assistant principal. Please keep rooms neat. Please help further by turning off lights.

On nights of interscholastic activities in the gymnasium, the gymnasium will be cleaned and prepared for the activity. Coaches should try to avoid using dressing rooms during and after the rooms have been cleaned.

### Commons Area

Students are to clear all waste from the tables when they have finished eating and place the waste in the proper containers. All food served in the commons is to remain in the commons and is not to be taken out of the area unless otherwise designated by administration. If a student is misbehaving in the commons during lunch or does not return his/her tray, inform an administrator. Students are forbidden to sit on tables. Failure to follow warnings will result in disciplinary action.

The commons area also serves as a lunchroom, study area, and social area; however, the commons area is not a recreational area.

### Closed Campus

Turtle Mountain Community High School has in effect a closed campus for grades 9-12. Students who are involved with activities such as Dual Credit, will be issued an I.D. pass at the beginning of the semester for leave off school grounds.

For the purpose of defining the high school campus boundary lines, the high school campus boundary will include:

- The north side of the school, the road running east and west.
- The east side of the school, the maintenance road running north and south.
- The south side, the road running east and west between the practice field and the parking lot.
- The west side, the road running north and south.

The football, baseball and practice fields will be considered Turtle Mountain Community High School campus, under the supervision of school personnel.

**Belcourt Public School District #7 & 100-297 Grant Board**  
**Descriptor Code: FCE**

### Minimum Classroom Rules

All students at TMCHS will be expected to follow these minimum classroom rules. They should be reviewed with the students at the beginning of the year. Teachers may wish to add some additional rules to meet the needs of their specific areas, but all students are to adhere to these basic rules:



1. Students and staff will be respectful to each other. Use positive conversation and refrain from using profanity or degrading words or actions. Students are to keep their hands, feet and objects to themselves.
2. No food/beverages will be allowed in classrooms.
3. Students must also comply with each individual staff member's classroom rules.

#### **REQUIRED**

**Descriptor Code: FF-AR**

\*Food and beverages may be allowed in the classroom under extenuating circumstances which may be determined by the building principal/designee.

### **Library/Reading Room**

Mission: TMCHS Library supports students to become critical thinkers, enthusiastic readers, skillful researchers, and ethical users of information.

The TMCHS Library will be open to students from 7:50 am until 4:20 pm. During class hours, it is necessary for each student to bring a signed pass, from a teacher, with the purpose of the library visit written on it. Students are required to sign-in with library staff.

TMCHS is committed to comply with copyright guidelines. Copyright is a legal protection given to authors and artistic creators in order to protect their works against duplication or unauthorized use. As an educational institution we are allowed certain privileges under fair use guidelines. Students and faculty should be copyright conscientious when requesting photocopies, video capture and Internet copies. Please take note of copyright guidelines posted near copying machines and printers.

Circulation:

At the TMCHS Library, books can be checked out from up to two (2) weeks with one (1) renewal. Students with overdue books will not be allowed further checkouts until over-dues are returned or materials are paid for, and the record is cleared. Reference works, magazines, newspapers, Makerspace tools and materials and all AV equipment will always remain in the library.

Patron Conduct in the Library

#### **I. Purpose**

In order to maintain a library environment which supports Turtle Mountain Community High School's educational, emotional, and recreational needs, the following patron conduct is expected:

#### **II. Policy Statement**

- The library's mission is to ensure equitable access of materials to all its patrons. Therefore, theft in any form will not be tolerated and will be handled according to handbook policy immediately.
- The library attempts to foster an atmosphere conducive to study, collaboration and research. Towards this aim, the library has created different areas to accommodate its patrons' various needs.
  - The Conference/Collaboration room will be utilized for small group instruction, small group collaboration, and meetings. Noise will be kept at a reasonable level.

- The AV room will be utilized by staff and students wanting to create video for Braves Vision. The capturing of video will require very little outside noise.
- The MakerSpace will be utilized by small groups of students that want to create, tinker and build. Conduct in this space will be monitored closely as there are a variety of tools and materials that can cause damage.
- Seating around the library will foster a comfortable individual or group experience.
- Eating is not permissible in the library. Food brought into the library must remain in lunch sacks or backpacks or will be held by the library staff until the student leaves the library. All drinks must always have a lid or cap.
- Noise or disruptive behavior by library patrons will result in a “friendly reminder.” If a second warning is warranted, the patron may be asked to leave the library. If behavior is sufficiently disruptive, the patron may be asked to leave immediately with no prior warnings. This policy is in place to ensure a library environment which supports the needs of students, staff and faculty.

### Automobile and School Parking Lot Policy

Students who drive automobiles to school will follow Rules of the Road policies. A release form will be required to be signed by parents if students request to be allowed to drive their vehicle during the school day. The release forms can be obtained from school security and will be retained for the school year.

1. Suspended and expelled students are prohibited from driving on the school premises during school hours.
2. Students must park their vehicles in a designated area.
3. Students are required to present driver's license, proof of insurance, and registration at the beginning of each semester. Upon request.
4. School will not be responsible for loss of stolen property from vehicles.
5. School will not be held responsible for car accidents on school property.
6. Student personal vehicle usage on school property is a privilege and may be revoked at the discretion of administration/designee at any time.
7. Parking violations will apply anywhere within high school boundaries as listed below
  - The north side of the school, the road running east and west.
  - The east side of the school, the maintenance road running north and south.
  - The south side, the road running east and west between the practice field and the parking lot.
  - The west side, the road running north and south.

\*The football, baseball, practice fields, in addition to the Event Center, Middle School and Elementary grounds are included when determining student parking violations.

Unauthorized vehicles may be towed away or impounded until the registered owner claims the vehicle and pays all costs involved.

### School Closing/Delay for Inclement Weather

Should it become necessary to call off school for any reason such as weather, announcements will be made on the following TV and radio stations:

- KEYA-FM (Belcourt)
- KMOT-TV (Minot)
- KXMC-TV (Minot)
- KBTO-FM (Bottineau)

Notification may also come from a phone call from School Messenger and social media platforms.

**NOTE: When school is dismissed early due to stormy weather, all other activities such as athletic practice will also be canceled.**

### School Nurse

A school nurse is available full-time (8:00 a.m. to 4:00 p.m.) to help students with injuries or illness if they occur during the school day. Over-the-counter medication is available if signed parental permission slips are on file. Except in emergencies, students are to secure a pass from the teacher in charge before coming to the nurse. Permission from parents or guardians must be obtained before a student may checkout. Rides home are provided for emergencies as determined by the nurse.

Attendance at the nurse's office will be closely monitored. Students who abuse the privilege of the nurse's office may have passes limited.

### Immunizations

The parents or guardian of each child admitted to the schools shall present a certification from a licensed physician or authorized representative of the State Department of Health that the child has received immunization against diphtheria, pertussis, tetanus, measles, rubella, German measles, mumps, and poliomyelitis.

**Belcourt Public School District #7 & 100-297 Grant Board**  
**Descriptor Code: FCAC**

### Accidents

All accidents that involve property, person or persons should be reported to the staff member in charge. The school nurse must also be notified as soon as possible. Accident report must be filed with administration by staff member in charge of students and/or school nurse. TMCHS is a member of the North Dakota High School Activities Association and carries limited insurance through the organization. The Indian Health Service will assist in treatment of injuries to students.

Students are not admitted to the nurse's office without a pass except for a medical emergency. Students must report to the nurse or attendance personnel before leaving the campus due to an illness or injury.

### Visitors

Students will not be allowed to bring visitors to school.

### Telephone Calls - 477-6471, ext. 3251

Except in an emergency, students will not be allowed to use the telephones in the main office.

Students will not be called out of class for telephone calls except in extreme emergencies. Messages will be taken and given to student during non-class time.

### Lost and Found.

All lost and found items should be brought to the office. Items not claimed in a timely manner will be discarded.

### Safety Drills

Drills for fire or tornado are required by state law to be held each year. All staff and administrators are reminded to know their assigned exit or safety area. Students are not to visit during the drills. Quiet and order are essential so that directions can be heard and quickly followed. Inappropriate use of the fire extinguishers will be disciplined. Students who do not leave the building during drills or behave inappropriately will be subject to disciplinary action.

### Emergency Preparedness and Response

Turtle Mountain Community High School has an Emergency Preparedness and Response plan in place, which is reviewed and updated annually. This plan includes but is not limited to procedures for fire drills, bomb threat and tornado drills.

### Asbestos Management Plan

The recent building asbestos survey states. "BIE Turtle Mountain Community High School is pleased to announce that all buildings used for school operations/activities are free of asbestos containing building materials. The Asbestos Management Plan references the certification of asbestos-free building materials in our building. In accordance with the Asbestos Management Plan is available for public view during normal hours of school-operations at the Administrative Office. Should you have any questions, feel free to contract with Curtis L. Keplin, School Maintenance Worker Supervisor, or Melvin J. Laducer, Principal

### Patron Complaints - Complaints about Instructional Materials

Citizens of the school community who wish to register a criticism about the appropriateness or absence of instructional materials should obtain the "Request for Reconsideration of Instructional Resources" form from the building principal.

All criticism shall be on the "Request for Reconsideration of Instructional Resources" form, and the complaint must be specific as to author, title, publisher or producer, date of instructional resource, and when relevant page numbers of items to which objection is being made.

Upon completion of the "Request for Reconsideration of Instructional Resources" form, it shall be submitted to the building principal. The principal shall follow the established procedure for processing and responding to criticism of approved material.

This district subscribes to the philosophy stated in the School Library Bill of Rights.

**Belcourt Public School District #7 & 100-297 Grant Board**

**Descriptor Code: KAGAA**

### Notice of Directory Information

The Family Educational Rights and Privacy Act (FERPA), a federal law, requires that Belcourt Public School District, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, Belcourt Public School District may disclose appropriately designated "directory information" without written consent, unless you have advised the district to the contrary in accordance with district procedures.

The primary purpose of directory information is to allow the Belcourt Public School District to include this type of information from your child's education records in certain school publications. Examples include:

1. A playbill, showing your student's role in a drama production.
2. The annual yearbook.
3. Honor roll or other recognition lists.
4. Graduation programs; and
5. Sports activity sheets, such as for wrestling, showing weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require school districts receiving assistance under the Elementary and Secondary: Education Act of 1965 (ESEA) to provide military recruiters, upon request, with three directory information categories--names, addresses and telephone listings--unless parents *have* advised the school district that they do not want their student's information disclosed without their prior written consent.

If you do not want Belcourt Public School District to disclose directory information from your child's education records without your prior written consent, you must notify the district in writing by September 1., each school year. Belcourt Public School District has designated the following information as directory information:

1. Address
2. Date and place of birth
3. Dates of attendance
4. Degrees, honors, and awards received.
5. Electronic personal identifier (student identification number)
6. Grade level
7. Institutional electronic mail address
8. Participation in officially recognized activities and sports.
9. Photograph
10. Student's name
11. Telephone listing
12. The most recent previous school attended.
13. Weight and height of members of athletic teams

Request to Withhold Directory Information for the **[List year]** School Year:

Please do not release **any** directory information. (See definition above)

Please do not release the following **part or parts** of directory information :( check all that apply)

Name

Telephone

Photograph

Other (specify): \_\_\_\_\_

Please do not release directory information to:

Military Recruiters

Colleges & Universities

Other (specify): \_\_\_\_\_

Student's Name: \_\_\_\_\_

School: \_\_\_\_\_

Grade: \_\_\_\_\_

Parent/Guardian Signature: \_\_\_\_\_

Date: \_\_\_\_\_

*NOTE: If the student is a high school senior or is otherwise scheduled to graduate, this opt-out request will continue to remain effective after the student has graduated from high school.*

End of Belcourt School District #7 Exhibit FGA-E

**REQUIRED**

Descriptor Code: FGA

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## ***ATTENDANCE***

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### **Open Enrollment**

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

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

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

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

The district reserves the right for the Superintendent to determine the class schedule for students who are accepted under this policy.

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

**End of Belcourt School District #7 Policy FAAA Adopted: 11/16/12**

### Ages of Attendance

All pupils are covered by the compulsory attendance law between the ages of seven and eighteen years. The law also provides that the public schools shall be free to all persons between the ages of six and twenty-one.

The Turtle Mountain Tribal Code 5.1101 Compulsory Attendance reads as follows: Every parent, guardian, or other person who resides within the Turtle Mountain Jurisdiction and has control over any educable child of any age of seven to eighteen who does not fall under the provisions of Section 5.1102 shall send or take such child to a public school each year during the entire time such school is in session. Exception 5.1102, number 5 reads as follows: That the child is over age 16 and does not desire to attend school and is excused by parent or custodian.

This School District, therefore, considers encouragement of consistent and timely attendance a major responsibility.

**Belcourt Public School District #7 & 100-297 Grant Board**

**Descriptor Code: FBA**

### Attendance

The Belcourt School District #7 and 297 High School Grant recognizes regular attendance as necessary to achieve consistent educational progress. Classroom learning experiences are a meaningful and essential part of the educational system. Time lost from class is irretrievable, particularly a student's opportunity for interaction and exchange of ideas with teachers. The absent student loses the benefits of lectures, discussions, and participation with other students.

This school district and 297 High School Grant therefore considers encouragement of consistent and timely attendance a major responsibility. Once enrolled every student regardless of age is subject to the school's attendance policy.

It is the responsibility of the school to monitor student attendance and communicate with students and their parents when attendance patterns do not meet school standards. It is the parents' responsibility to ensure that their children are in school unless a valid reason for absence exists and to notify the school when their child will be absent. The parent/guardian will be held accountable for their child's regular attendance in school. A student 18 years or older or a married student, upon request to the building principal, may assume responsibility for the verification of absences from school. They will be held personally accountable for their regular attendance at school.

Schoolwork missed by the student during an absence is required to be made up regardless of the reason for the absence. Family trips should be scheduled, when possible, during the summer or other non-school days. Should it be deemed necessary for a student to be absent from school,

arrangements should be made by the student to complete, in advance, as much schoolwork as possible that will be missed during the absence. Additional effort to make up work may be necessary upon the student's return.

### Attendance Law and Tribal Code

North Dakota has a compulsory attendance state law in which students are held accountable for their attendance in accordance with *the North Dakota Century Code 15.1-20-01*.

*Turtle Mountain Tribal Code 5.1101* also states: "every parent, guardian, or other person who resides within the Turtle Mountain Tribe's Jurisdiction and has custody and control over any educable child of age seven years to eighteen years who does not fall under the provision of Section 5.1102 shall send or take such child to school each year during the entire time school is in session. Schools included within the Tribes Jurisdiction; Dunseith Day School, Ojibwa Indian School, St. Ann's Catholic School and all of Turtle Mountain School(s); High School, Middle School, and Elementary School."

#### Turtle Mountain Tribal Code 5.1102 Compulsory Attendance-Exception

The parent, guardian, or other person having custody of a child are required by the provisions of this chapters shall be excused by the school board from causing the child to attend school whenever it shall be shown to the satisfaction of the board, subject to appeal as provided by law, school procedure and policy and/or that one of the following reasons exist:

1. That the child has acquired a High School diploma or Equivalent diploma.
2. That in the event a child has a defined disability that impedes his/her ability to attend school on a regular basis, the child's multidisciplinary/Individualized Education Plan (IEP) team will meet to define the Least Restrictive Environment (LRE), as defined in the Department of Education, Assistance to State for the Education of Children with Disabilities and Preschool Grants for Children with Disabilities, Final Rule. (34 CFR, Sub. Sec. 300-301.) and/or
3. That is a child, with parent's permission, should transfer to another school, the parent of the child shall show verification of such a transfer, and this must occur within three (3) calendar days. Penalty for failure to complete transfer may result in charges brought before Tribal Court pursuant to 5.1104. Violation of Compulsory Attendance Provisions Penalty.

Below are the attendance requirements for students. In the event these requirements are exceeded, and no absences have been waived by administration and/or the Truancy Prevention Team as exception under this policy will result in a petition to Tribal Court for Failure to Send Child to School, and/or Truancy under Section 26.1109 of Turtle Mountain Tribal Code.

### Absences

At five (5) absences not waived by the administrative team, a court referral may be filed. Each additional five absences not waived by the Truancy Prevention Team may result in an additional court referral.

All parent notification letters and documentation regarding absences/truancy will be kept on file and may be submitted to Tribal Court.

Chronic illnesses shall be supported with proper medical documentation/affidavit.

School -sponsored activities will not be considered an absence.

Examples of absences that may be waived by the administrative team.



- Illness
- Serious injury to oneself or immediate family, funeral, religious and cultural observances (no more than three (3) days allowed), conditions rendering attendance impossible or hazardous to student health or safety, school sponsored activities, homebound, out-of-school suspensions, weather related absences approved by the building Principal.

**\* Absences waived by the Administrative Team will still be considered an absence but not included for court referrals.**

### Definitions

Definitions pertinent to the attendance requirements of the Turtle Mountain Community School are as follows:

- **Tardy:** Students will be considered tardy if they arrive at class after the tardy bell rings.
- **Skip/Truancy:** being absent from one or more classes without consent from the guardian or school. This includes class cuts such as, but not limited to failing to report to destination in a reasonable amount of time, leaving class without permission, abuse of pass usage, failing to leave after checking out, and failure to go to class when getting to school.
- **Absence:** a student who is not in class for at least 1/2 the allotted time will be counted absent.

### Truancy (Skipping)

Students skipping and/or leaving the school, or school grounds without permission-may result in detention, loss of privileges (Braves Hour etc.), In-School Suspension, referral to Tribal Court and/or expulsion.

### Make-up Work

Students will have at least two days for every day missed to get missed assignments completed and handed in with the exception of skip/truant absences.

Departmental discretion will be allowed for those absences considered a skip/truant.

Building administration is granted the right to make exceptions to this minimum attendance standard upon approval of the building principal.

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## ACADEMICS

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### Graduation Requirements 2022-2023 (Graduates)

The Belcourt School District #7 Board shall establish the requirements for graduation from Turtle Mountain Community High School; they shall meet North Dakota Century Code and the accreditation policies of the North Central Association of Secondary Schools.

All students must earn a minimum of 22 credits for graduation for 2021-22 including the following:

#### English/Language Arts

**4 .00 credits (8 semesters)**

#### Social Studies

United States History, Problems of Democracy A, Tribal Government, Problems of Democracy B, and one other social

studies elective.

**3.00 credits (6 semesters)**

#### Science

Students may choose from one of two science programs as follows:

Program 1: Biology, Physical Science and one other science elective credit.

Program 2: Biology, Chemistry and Physics

**3.00 credits (6 semesters)**

#### Mathematics

Algebra I, Geometry and one other math course. **\*Exception:** those students having completed Algebra I in 8<sup>th</sup> grade and are recommended by assessment and 8<sup>th</sup> grade teacher may enroll in Geometry. A minimum of three (3) credits must still be completed.

**3.00 credits (6 semesters)**

#### Physical Education

**1.00 credit (2 semesters)**

#### \*Electives

**8.00 credits (16 semesters)**

**\*Three (3) credits of structured elective credits in the following areas: Fine Arts, Career and Technical Education, or foreign language, and five (5) credits of other electives.**

#### – Civics Test Requirement

15.1-21-27. High school graduation requirement - Civics test. 1. For purposes of this section, "civics test" means the one hundred questions that, as of January 1, 2015, officers of the United States citizenship and immigration services use as the basis for selecting the questions posed to applicants for naturalization, in order that the applicants can demonstrate a knowledge and understanding of the fundamentals of United States history and the principles and form of United States government, as required by 8 U.S.C. 1423. 2. a. If a student is enrolled in the twelfth grade during the 2016-17 school year, that student must, as a condition of receiving a high school diploma, correctly answer at least sixty percent of the questions on

the civics test. b. Before any other student may be awarded a high school diploma, that student must correctly answer at least seventy percent of the questions on the civics test. 3. a. The requirement set forth in this section applies to each student who is: (1) Enrolled in a public school district; (2) Enrolled in a nonpublic school; (3) Enrolled in the center for distance education; (4) Receiving home education if the student is to be issued a high school diploma in accordance with subsection 1 of section 15.1-23-17; or (5) Pursuing a general equivalency diploma. b. A student may be exempted from the requirement of this section by the provisions of the student's individualized education program plan. 4. The superintendent of public instruction shall, upon request, provide to the person administering the civics test the correct answer or acceptable answers to each question. 5. A student may take the test, in whole or in part, at any time after enrolling in grade seven and may repeat the test, or any portion thereof, as often as necessary to demonstrate proficiency. 6. Neither the superintendent of public instruction nor a school district may impose or collect any fees or charges in connection with this section. Page No. 12 7. This section is applicable to any student who graduates from high school during or after the 2016-17 school year.

**Turtle Mountain Community High School recommends a rigorous core curriculum for students, which include four (4) years of math, science, and social studies.**

Various post-secondary institutions may require additional courses for admission. Refer to the Curriculum Guide for postsecondary planning.

**Belcourt School District #7 & 100-297 Grant Board**

### Optional Curriculum

As of July 1, 2010, students are eligible to pursue an optional curriculum of 21 credits if they;

- Have completed 2 or more years of high school.
- Have failed 3 or more courses in three different required subject areas.
- Or have a grade point average at or below the 25th percentile of class-grade point average.

The student (if 18 or older) or a parent must request a review for approval to pursue an optional high school curriculum. If it is approved the student may pursue an optional curriculum in order to graduate. The parent or student (if 18 years of age or older) must give written consent to pursue an optional curriculum to graduate from high school. Requests can be made to the grade level guidance counselor or registrar. Participating in optional curriculum will impact college admission, check with your guidance counselor for information.

### Student Educational Plan

North Dakota Century Code Section 15.1-21-18 requires each school district notify high school students that, upon request, a student is entitled to receive a consultative review of the student's individual high school education plan during each high school grade....

### GED Credit for High School Graduation and Curriculum - REQUIREMENTS

The Board may allow high school students to receive credit for taking relevant portions of the GED (General Education Development) assessment to satisfy corresponding graduation requirements set forth in NDCC 15.1-21-02.2 and NDCC 15.1-21-02.3. The Board delegates overall authority to the Superintendent to make all GED assessment

credit allowance decisions on a case-by-case basis, based on the criteria developed by the Superintendent as set forth in administrative regulations.

#### **End of Belcourt School District Policy GACE ...**

### **Class Designation**

In our records, students' grade levels are determined by how many years they have attended Turtle Mountain Community High School. Therefore, a student is labeled as follows:

<b>Grade Level</b>	<b>Year of Graduation</b>
<b>FRESHMEN – 9<sup>th</sup></b>	<b>2025-26</b>
<b>SOPHOMORE – 10<sup>th</sup></b>	<b>2024-25</b>
<b>JUNIOR – 11<sup>th</sup></b>	<b>2023-24</b>
<b>SENIOR – 12<sup>th</sup></b>	<b>2022-23</b>

#### **Senior Privileges:**

Free Periods- Seniors may be eligible for up to two (2) free periods per semester. The building principal and senior counselor will review student transcripts and determine free periods.

\* The above privileges can be revoked at the discretion of high school administration and/or parent request. In the event free periods are revoked, students may have free periods reinstated upon review of grades demonstrating a "C" or higher.

### **Full-time Student Status**

A student must be enrolled in a minimum of five (5) State Regulation classes to maintain his/her full-time student status unless approved otherwise by the principal. Any student who does not maintain the class load will have the parents contacted to withdraw the student or a request to the school board will be made to expel the student until the end of the semester. All students must maintain full-time student status except in extreme hardship where the principal may grant permission to take a reduced load.

### **Early Graduation**

Certain circumstances make it possible for a student to graduate early. A student who is seeking permission from the principal to graduate early must have specific vocational plans and have written parental permission. Initial applications for early graduation should be submitted to the guidance department and then to the principal for approval. An exception will be for 5<sup>th</sup> year seniors who will complete coursework in less than a year.

### **Post-secondary enrollment**

The district shall comply with state law concerning dual enrollment. Students must be eligible, under state law, to enroll in dual credit courses in order to participate in this program. The Superintendent shall make a determination of the number of college credits for which an eligible student is permitted to enroll on a case-by-case basis based on, but not limited to, the following:

1. The student's grade point average.
2. A recommendation from a counselor or principal.
3. Whether the postsecondary course in which the student wishes to enroll will overlap with a course currently offered by the District.

4. Whether the student has met requirements for high school graduation, or the number of high school courses still needed to meet graduation requirements.

Although the District shall award a student high school credit for successful completion of a post-secondary course, no postsecondary course shall be substituted for a required high school course.

In addition to allowing students to enroll in college-level courses taught at postsecondary institutions, the district may offer courses that qualify for dual credit in cooperation with eligible institutions. Students enrolled in these courses may apply to the post-secondary institution for dual credit. Information about the requirements set forth by the post-secondary institution will be available from counselors and the teachers of the qualified courses.

**End of Belcourt School District #7 Policy GACCA Adopted: 03/06/13**

Current Dual Credit information can be accessed at  
<http://www.dpi.state.nd.us/approve/dualcred.shtm>

### Grading and Testing System

The grading system will be clearly listed in the written syllabi for the course. The student and parent are entitled to a clear explanation of each element used to compute a grade in the course.

The grading system is based on semester earned credit. Credit will be earned with the successful completion of a semester class.

Grades will be tabulated for each quarter's work of a semester and for the test at the end of the semester.

A student's semester grade will be tabulated using the following formula:

$$\begin{array}{r} 45\% \text{ Quarter 1} \\ 45\% \text{ Quarter 2} \\ \hline 10\% \text{ Semester Test Semester Grade} \end{array}$$

Those courses not administering a semester final will be tabulated as follows:

$$\begin{array}{r} 50\% \text{ Quarter 1} \\ 50\% \text{ Quarter 2} \\ \hline \text{Semester Grade} \end{array}$$

### Grading Procedures

In evaluating student achievement, each teacher shall make use of all available information. When a point system applies (in courses which have many quizzes, short tests, and daily exercise assignments based on 100% possible, etc.), the following scale is used:

$$\begin{array}{r} 100 - 93 -- A \\ 92 - 85 -- B \\ 84 - 77 -- C \\ 76 - 70 -- D \\ 69 \text{ and below } F \end{array}$$

Teachers are encouraged to schedule conferences with the parents of their students.

Turtle Mountain Community High School will use the following grade system:

A--Superior work

B--Above average work

C--Average work

D--Below average work

F--Indicates no credit.

I--Indicates incomplete (all incomplete grades must be made-up within four (4) weeks following the grading period.)

\*--designates modified program or class. Modified grading is available to all students.

Incomplete grades will become the grade earned if the required work is not handed in four (4) weeks following the end of the quarter.

In the case of all grade changes, it is the teacher's responsibility to make changes on their record cards. The registrar will make changes on student cards and in the computer file when notified of the grade change by the teacher.

### **Semester test exemptions for attendance and/or achievement**

All students will be required to take semester tests in the first semester in the core areas (English, Math, Science, Social Studies). Students need the experience of taking major tests each year.

All students will follow the test exemption policy, stated below for the second semester.

#### **Exemption Criteria 1:**

1. The student has been absent (excused) from that class not more than one (1) day during the semester and;
2. The student has not received lower than a 77%-C average of the two (2) quarters combined;
3. The student has not been tardy more than two (2) times during the semester.
4. The student has not been assigned Any form of Suspension from school for discipline reasons for one (1) full school day or more.

#### **Exemption Criteria 2:**

1. The student has not been absent (excused) from that class more than two (2) days during the semester and;
2. The student has not received lower than an 85%-B average of the two (2) quarters combined;
3. The student has not been tardy more than two (2) times during the semester.
4. The student has not been assigned Any form of Suspension from school for discipline reasons for one (1) full school day or more.

#### **Exemption Criteria 3:**

1. The student has not been absent (excused) from that class more than three (3) days during the semester and;
2. The student has not been tardy more than two (2) times during the semester and;
3. The student has not received lower than a 93%- A, average of the two (2) quarters combined;

4. Student has not been assigned Any form of Suspension from school for discipline reasons for one (1) full school day or more.

**\*Students must pass both quarters to be eligible for semester test exemption. Students are encouraged to take semester tests; however, exempt students who perform poorly on the test will not receive a lower grade.**

Missing class due to 1) working, 2) illness, 3) medical or other appointments, 4) out-of-school suspension shall count as absences from that class.

Should either of the following cause a student to miss a class or classes, he or she shall NOT be counted as absent: 1) the school bus that the student rides either does not run or is late, 2) membership in a school-sponsored activity or group which requires an occasional absence from class.

Transfer students will have absences and grades from their former school computed and converted to their percentage equivalents to determine their exemption status.

**\*Manifestations of disability, and events or occurrences directly related to a disability will be taken into consideration when determining semester test exemptions.**

### Class Schedule Changes

Changes in a student's class schedule **after** the first five days of the semester will **only be made with the consent of the principal or designee. It is important to note that schedule changes may not be possible.**

### Progress Reports and Report Cards

Each quarter, progress reports are sent out four (4) weeks after the beginning of the quarter. Bi-weekly reports may be mailed to parents for students earning grades of D's and F's. These notices may be sent out at other times as the situation warrants by the teacher, or as agreed upon by the teacher and parent.

Report cards are distributed by assigned advisors during the parent teacher conferences.

### Transcripts and Withdrawals

All requests for transcripts are handled through the guidance office and will be released only after a formal request has been made from the enrolling school requesting a transcript.

Students who are withdrawing from school or transferring to another school are to complete a written release of information in the guidance office or with administration.

### Homebound Instruction - Board Policy

Homebound instruction is provided exclusively for medical reasons. The Board may provide instruction, as appropriate, for students confined to home or hospitalization for a period exceeding 10 consecutive school days upon the request of parents and with the approval of the student's physician, provided that the physician certifies that the student will be unable to attend school for the length of time specified and that he/she is capable of receiving home instruction.

The physician shall also be requested to estimate the probable length of the student's convalescence.

If the student is expected to require homebound instruction, a parent may, and is encouraged to, request the instruction prior to the end of the 10 days so that instruction may begin as soon as the student is eligible and is able to receive it.

Students requesting homebound status must have been enrolled in the Turtle Mountain Community School.

Homebound instruction, although correlated with what the student is missing in the classroom, shall be geared to the student's needs and capabilities during convalescence. Textbooks and supporting materials shall be provided by the student's school.

Homebound students at the secondary level will receive a minimum of five (5) hours of instruction weekly.

Homebound status will be reviewed for continuation each three-week period by the social worker and homebound staff. Students not turning in work on a weekly basis may be dropped from the program.

Regular staff members and particularly the student's own teacher(s) shall be given preference if they wish to serve as homebound instructors. They shall be paid an hourly rate established by the Board.

**Belcourt School District #7 & 100-297 Grant Board**

**Descriptor Code GBK**

### Student Education Records

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

### Access

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

School officials with a legitimate educational interest in a student's educational record shall be granted access to the portions of the record that they have a need to know. For the purpose of this policy, legitimate educational interest is defined as access that is needed in order for a school official to fulfill his/her professional responsibility. School official is defined as:

1. An individual employed by the district in an administrative, instructional, or support staff position.
2. School board members.
3. A person or company contracted by the district to perform institutional services and/or functions, including, but not limited to, attorneys hired by the District and data storage and protection agencies;
4. Law.
5. A consultant hired to perform institutional services and/or functions for the District.
6. A threat assessment team (see Violent & Threatening Behavior policy for definition).

This list of school officials shall be included in the district's annual FERPA notification.



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

### Review and Amendments

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

### Record Dissemination

- Other schools: When a student enrolls, intends to enroll, or has enrolled in another school, the district shall forward a copy of the student's educational record, including disciplinary records involving suspension and/or expulsion to the new school district without prior consent so long as disclosure is for enrollment or transfer purposes. The district shall retain the original student record.
- Directory information: The Board defines directory information as:
  - Address.
  - Date and place of birth.
  - Dates of attendance.
  - Degrees, honors, and awards received.
  - Electronic personal identifier.
  - Grade level.
  - Institutional electronic mail address.
  - Most recent previous school attended.
  - Participation in officially recognized activities and sports.
  - Photograph.
  - Student's name.
  - Telephone listing.
  - Weight and height of members of athletic teams.

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

1. The district may release the contents of a student's educational record for reasons permitted by law, such as, but not limited to, health and safety reasons after taking into account the totality of circumstances and determining an articulable and significant threat to the health and safety of the student or others exists.
2. The district mayor, when required by law, shall release students' personally identifiable information from student educational records to authorized representatives, as defined by FERPA, in accordance with PII disclosure agreement requirements and other safeguard procedures mandated by FERPA regulations.

3. De-identified information may be released upon request if the request meets conditions permitting release of such information under law.

### Record Retention & Destruction

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.

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

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

### Complementary Documents

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

**End of Belcourt School District #7 Policy FGA Adopted: 11/16/12**

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## *TURTLE MOUNTAIN COMMUNITY SCHOOLS BELCOURT SCHOOL DISTRICT #7*

### *- Computer*

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### Network System - Acceptable Use Policy

The Belcourt School District Board of Education considers computers and computer networks to be valuable tools for education and encourages their use in district classrooms. The purpose of the district's computer network systems is educational. This system will enable students to communicate with people around the world and gather appropriate educational material. The Turtle Mountain Community School Local Area Network and its connection to the Wide Area Network, also known as the Internet, is an electronic communications network, which provides vast, diverse and unique resources. In an effort to promote educational excellence in the Turtle Mountain Community School students, staff, and guest users of this technology, have the responsibility to use the computer network systems properly in accordance with the rules of the district. Computer/Internet access is a privilege, not a right.

1. Acceptable Use
  - Must be in support of education and research consistent with the district's mission and goals.
  - Must be consistent with the rules appropriate to any network being used/accessed.

- Unauthorized use of copyrighted material is prohibited. Research material must be cited appropriately. Threatening or obscene material is prohibited.
  - Use for commercial activities is not acceptable.
  - Product advertisement or political lobbying is prohibited.
  - Personal home pages will not be allowed.
2. Privileges
- Access to the Internet and our school computer network is not a right, but a privilege.
  - Unacceptable usage will result in consequences as stated in the student handbook or School Board Policy Manual.
  - Electronic mail and a school computer account are not guaranteed to be private.
3. Etiquette
- Be polite!
  - Users will not use vulgar, profane, lewd, rude, inflammatory, threatening, disrespectful or obscene language.
  - Users will not post personal contact information about themselves or other people. Personal contact information includes address, telephone, school address, work address, photos, etc.
  - Users will not agree to meet with someone they have met online without their parent's approval and participation.
  - Users will promptly disclose to their teacher or other school employee any message they receive that is inappropriate or makes them feel uncomfortable.
  - Do not intentionally disrupt the network or other users.
  - Abide by generally accepted rules of network etiquette.
4. Security
- If you identify a security problem, notify a system administrator immediately.
  - Do not show or identify a security problem to others.
  - Do not reveal your account password or allow another person to use your account.
  - Do not use another individual's account. Attempts to log on as another user will result in consequences as stated in the Student Handbook.
  - Any user identified as a security risk or having a history of problems with computer systems may be denied access.
  - Users may be occasionally required to update registration, password and account information in order to continue Internet access.
5. Vandalism/Harassment
- Vandalism is defined as any malicious attempt to harm or destroy data of another user, the Internet or other networks. This includes, but is not limited to, creating and/or uploading computer viruses or attempting to gain unauthorized access to other computers or programs.
  - Vandalism also includes the user's deliberate attempts to disrupt the computer system performance, destroy data, or destroy hardware.
  - Harassment is defined as the persistent annoyance of another user or the interference in another user's work. This includes but is not limited to the sending of unwanted mail.
6. Filtering
- The district uses Internet content filtering to limit access to offensive or objectionable material. The filtering product blocks web sites described by any of the following categories: Alcohol, Anarchy, Chat, Criminal Skills, Cults, Drugs, Gambling, Hate Groups, Obscene & Tasteless, Personal Ads, Pornography, and Public Web Proxies. Anyone seeing an offensive site is required to report it to a teacher or system administrator.
7. Penalties

- Any user violating these provisions, applicable state and federal laws or posted classroom and district rules is subject to loss of network privileges and any other District disciplinary options, including criminal prosecution.
- School and district administrators will make the determination as to what constitutes unacceptable use, and their decision is final.

### Email Access and Use

Students are encouraged to use email as a means to enhance communication between teachers, students, and outside resources. Students are only allowed to use email accounts set up and maintained by the district (Gmail account). All other email clients and web sites are strictly prohibited.

### Obtaining a Gmail Email Account

Email accounts provided by Gmail are organized by first name. Last name (john. Doe@...). If you are uncomfortable with this option, you may request a unique non-identifying username during the registration process. Students are to see building facilitators for assistance.

### Disclaimer

The Belcourt School District #7 makes no warranties of any kind, whether expressed or implied, for the service it is providing. The Belcourt School District will not be responsible for any damages a user may suffer, including the loss of data. The district will not be responsible for the accuracy or quality of information obtained through this Internet connection. The district will not be responsible for financial obligations arising through the unauthorized use of the system.

**Legal Ref: Child Internet Protection Act (CIPA) - December 2000**

**TMCS Board Approval: 5/13/03**

### Computing 'Code of Conduct' (required)

It is important for all students, personnel and board members to practice responsible and ethical behavior in their computing activities because they have access to many valuable and sensitive resources, and their computing practices can adversely affect other persons and/or diminish the reputation of the Turtle Mountain Community Schools (TMCS) and Belcourt School District #7 (BSD#7). Most computer users act responsibly, but a few do not, either through ignorance or by intent, have the potential for disrupting others, or even for stealing or damaging their work.

Turtle Mountain Community Schools/BSD#7 is responsible for securing its computing systems to a reasonable degree against unauthorized access and/or abuse, while making them accessible for authorized and legitimate uses. This responsibility includes informing users of expected standards of conduct and the punitive measures for not adhering to them. In accordance with federal law, the district has also taken reasonable precautions to restrict access to materials obscene, pornographic, and/or harmful to minors through the use of software designed to block sites containing inappropriate material. While the District has taken such preventive measures, it recognizes that it is not possible to fully guarantee that students and/or staff will never access objectionable materials.

### Monitoring

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

proper and responsible use of the system. Teachers and administrators will exercise supervision of student use.

The list below constitutes a “Code of Computing Practice” for users, including students and staff, of the Turtle Mountain Community Schools/BSD#7 computing resources.

### *1. Respecting the Environment*

Computing tools, like library resources or the telephone system, are shared, public goods, often essential to the instructional, research, and/or administrative functions of TMCS. The continued availability of these expensive resources requires that they be legitimately used and treated with care and good sense.

Any unauthorized, deliberate action, which damages or disrupts a computing system, alters its normal performance, or causes it to malfunction is a violation of the TMCS Acceptable User Policy, regardless of system location or time duration. Accordingly, the willful introduction of computer “viruses”, “worms”, or other disruptive/destructive programs into the TMCS computing environment, or into other environments, via external networks to which TMCS is connected, is prohibited.

Reasonable care should also be exercised when using any computing resource at TMCS. Example(s): writing on computers and keyboards, slamming keyboards, spilling food or drinks, etc.

### *2. Taking Responsibility*

Users are responsible for the use of the computing accounts assigned to them.

They should ensure that their User Ids (or usernames) and passwords are secure and take all reasonable precautions against others’ obtaining access to the resources they have been allotted or allowed to access. Users must use their accounts only for their intended purposes. No TMCS-owned computing resource, including computer time and/or network services (Internet, E-mail, etc.), should be used for unauthorized commercial or private purposes.

Users shall not make any deliberate attempt to learn or to divulge the username/password of another, or to gain access to TMCS or computing resources through the submission of any username(s) or password(s) other than their own.

Upon agreement to the TMCS Acceptable User Policy and the Computing Code of Conduct, a new User ID and password will be issued from the Computer Center upon request by the school librarians or the Human Resource department. New

User ID’s and passwords are issued to kindergarten, third grade, sixth grade and ninth grade students each year.

Staff User ID’s and passwords are changed upon request and mass changes are completed every two years.

If there is any suspicion of misusing User ID’s and passwords, please report ASAP and a new password may be requested.

### *3. Respecting Privacy*

Users should apply standards of normal academic ethics and polite conduct to their use of TMCS computing resources.

Unauthorized access of, damage of, or tampering with any information stored in a TMCS computer is a direct violation of the TMCS Acceptable Use Policy and Computing Code of Conduct. Willful and improper access to, alteration of, or divulging the contents of student or staff record files or other administrative files is prohibited. Persons, who knowingly receive, divulge, or pass on TMCS computer data that has been improperly accessed or obtained shall be considered accessories to the original infraction.

#### *4. Obeying Copyright Laws*

It is against the law and district policy to copy commercial software that has not been placed in the public domain or distributed as “freeware.” Software “piracy” (i.e., copying a commercial software product purchased by a party other than yourself) injures all of us. It reduces the incentives for the software industry to invest in new projects, it reduces the willingness of vendors to support discount programs, and it makes violators (including TMCS) vulnerable to criminal prosecution. But worse than any of these, software piracy is morally wrong. It is indistinguishable from shoplifting or theft. That the theft takes place behind a computer screen makes the thief no less morally blameworthy.

#### *5. Being Sensitive to the Needs of Others*

TMCS aspires to provide the highest quality computer environment, during peak periods (class project times, NWEA testing dates, for example) the demand for computing resources may, at times, exceed the supply of bandwidth. Responsible computing demands that one is sensitive to the needs of all who seek to use such resources and that during such peak periods one should limit one’s use of computing technology to performing only the most essential tasks.

Consideration for others should also be a priority when one is using limited resources, such as central computer disk space, network bandwidth, printer capacity, etc.

#### *6. Using Civil Standards of Communication*

Communications between users of TMCS are expected to reflect high ethical standards and mutual respect and civility. It makes no difference whether the communications medium is a face-to-face exchange, or via a local or national computer network.

Obscene, racist/sexist, harassing or threatening language or actions, for example, clearly violate ethical standards, and are inappropriate for computer mediated. Use of E-Mail or computer networks to send unsolicited junk mail “for-profit” chain letters, etc., or to further any illegal activity, is prohibited.

All Emails at TMCS, whether received or sent, are public information and are subject to scrutiny. Never send or keep anything that you would not mind seeing in the news.

#### *7. Prohibited Actions*

The following are some actions, which may or may not be discussed above, that nevertheless are definite violations of TMCS computing policies and the Acceptable User Policy. This list is not exclusive, and other items may be added. If in doubt, you are encouraged to ask any Technology Staff, Administrator, or the Human Resource Manager if an action you plan to take is prohibited!

- Modification of system files (owned by root, etc.)
- Running unmonitored processes
- Storing numerous or large files for extensive periods of time
- Use of an account not owned by the assigned user.

- Unauthorized use of computing resources/facilities
- Staff or student use of TMCS computing resources/facilities for commercial or private purposes (including any use of E-mail or Internet which is not either work-related or school-related)
- Use of TMCS system to illegally access other systems.
- Unauthorized, deliberate action which damages or disrupts a computing system, alters its normal performance, or causes it to malfunction (for example, the introduction of computer “viruses”, “worms”, or other disruptive/destructive programs into the TMCS computing environment, or into other environments, via internal networks)
- Obscene, racist/sexist, harassing, or threatening language or actions.
- Unauthorized or unsolicited mass mailings
- Installing, running, or attaching unauthorized hardware into the TMCS network computing environment
- Running or installing of unapproved software on TMCS computers

It is expected that all users of the computing resources at TMCS will act in an ethical, responsible, and polite manner even in the absence of reminders. TMCS does not desire to impose further restrictions on the capabilities of its computing systems. Besides being costly, these restrictions can be counterproductive because they may reduce the capability of the systems for responsible users.

Failure to adhere to the policies stated above, including the TMCS Acceptable User Policy and other related policies of TMCS/BSD#7, will lead to disciplinary action enforced by school administration. Deliberate misuse of computing resources can lead to discontinuation of computer access, at a minimum, and can lead to expulsion or termination.

**Policy: ACDA**

**Adopted: 10/30/09**

## ***STUDENT ORGANIZATIONS***

### **Student Organizations (Secondary Schools) Policy Statement**

It is the policy of the district to encourage the organization and operation of curriculum-related, school-sponsored student organizations in the secondary schools and to permit such organizations to meet on school premises during activities periods and non-instructional time. The district does not intend, however, to create or permit an open forum for student-initiated organizations in the secondary schools. The purpose of this policy is to establish criteria and procedures governing the recognition of curriculum-related student organizations.

**SUPPLEMENTARY**

Descriptor Code: **FEE**

### **Recognition of School-Sponsored Student Organizations**

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

Membership in school-sponsored student organizations shall be voluntary and shall be open to and limited to all students currently enrolled in the school and home-schooled students living in the district. Membership shall be granted in a nondiscriminatory manner, consistent with the district's

nondiscrimination policy; however, organizations may establish qualifications based on gender only where necessary to preserve the health, safety, or welfare of students, or where gender is a bona fide and integral qualification for the activities of the organization.

These organizations may also establish academic qualifications for membership where necessarily related to the purposes of the organization.

#### **Non-Curricular Student Led Groups**

Students are not permitted to organize and conduct non-curriculum-related meetings on school property.

#### **Faculty Supervision**

School-sponsored student organizations shall be sponsored and supervised by one or more members of the school faculty, approved by the Activities/Athletic Director. Faculty sponsors shall participate in the supervision and direction of all activities of the organization and shall attend all meetings.

#### **Compliance with Law and Policy**

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

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

#### **Meetings**

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

Complementary Documents

- ABBB, Non-curricular Use of District Property
- HCM, Purchasing Agent
- HCM-AR, Requisitions & Purchase Orders

**End of Belcourt School District #7 Policy FEE Adopted: 11/16/12**

#### **Recognition of Student Organizations**

Curriculum related student organizations serve as an extension of the regular school curriculum. Their function is to enhance the participants' educational experience and supplement the course materials within the educational program of the schools. The activities of these organizations should bear a clear relationship to the regular curriculum.

Student organizations meeting the criteria of this policy and approved by the principal will be deemed to be officially recognized, school-sponsored student organizations. Any organization, which fails to meet the criteria of this policy, will be denied recognition as and the privileges of a student organization. Recognition of any student organization shall be in accordance with District procedures.



## Student Publications

School publications are designed to serve as a vehicle for instruction and should be appropriate for students as to grade level and content of material.

All publications shall have a faculty advisor. The student editorial staff and faculty advisor shall establish editorial policy, which promotes responsible journalism. This shall include the avoidance of libel, obscenity, profanity, defamation, false statements, or material advocating racial or religious prejudice or the violation of laws.

Student publications shall provide as much opportunity as possible for the sincere expressions of student opinion. Articles should reflect all areas of student interest, including topics about which there may be dissent and controversy. Controversial subjects should be presented in depth with a variety of viewpoints established.

**Belcourt Public School District #7 & 100-297 Grant Board**  
**Descriptor Code: FIC**

## Student Activities and Athletics

### Mission:

***“Through Guidance, determination and Self Discovery, Turtle Mountain Public Schools encourages practices which drive our student activity participants toward roles which foster sportsmanship, leadership and citizenship for the great state of North Dakota”***

## North Dakota High School Athletic Association

The North Dakota High School Activities Association ([www.ndhsaa.com](http://www.ndhsaa.com)) is the governing body of all extracurricular activities over all extracurricular activities. The Athletic/Activities Director, Assistant Superintendent and coaches will have copies of the complete manual for more information.

## Membership

Membership in student organizations shall be open to and limited to all students currently enrolled in the sponsoring school on a voluntary basis. Student organizations may establish academic qualifications for membership where necessarily related to the purposes of the organization. No student shall be denied membership on account of his or her race, color, national origin or religion. Qualifications based on sex may be imposed only where necessary to preserve the health, safety or welfare of students, or where sex is a bona fide and integral qualification for the activities of the organization.

**Belcourt Public School District #7 & 100-297 Grant Board**

**Descriptor Code: FID**

## Announcements

Daily school announcements will be read by the classroom teacher when they become available. Students are to leave their brief announcements with the high school receptionist.

Announcements **must be submitted to the office or athletic secretary** no later than 8:30 a.m. each morning. Each announcement must be signed.

## School Trips

All school trips will be chaperoned by an adult. All chaperones must have a completed and approved background check before supervising any school function or activity (to be completed in a timely manner prior to the function). Parental permission slips for students will be turned in to attendance

personnel prior to the trip. Any student misconduct will be handled as outlined in the Student Activities and Athletics section (see p. 36).

### Sale of Goods

The sale of goods is reserved for recognized Turtle Mountain Community School clubs only. Groups interested in selling goods should contact the student council and the principal for permission two (2) weeks prior to the activity and must be approved by the Principal, Student Council and Athletic/Activities Director. All funds must be counted and sealed with two (2) signatures, along with date and turned over to the Athletic/Activities Director.

Athletic/Activities Director will submit funds to the District Business Office. A Fundraising Request form must be completed prior to an activity and approved by the principal.

### Gifted and Talented Program - "Lee Minigoowan"

Turtle Mountain Community High School offers a specialized curriculum that provides various learning activities for identified gifted and talented children. The program will provide opportunities and challenges to help gifted students become more accepting of themselves and others, and to become more aware of their strengths and abilities, thus promoting self-direction and a commitment to life-long learning.

The term "gifted and talented students" means children and youth who give evidence of high performance, capability in areas such as intellectual, creative, artistic, or leadership capacity, or in specific academic fields, and who require services or activities not ordinarily provided by the school in order to fully develop such capabilities.

American Indian Gifted and Talented students must have an opportunity for a challenging and appropriate education. There are three (3) areas covered in the Gifted Program at Turtle Mountain Community High School, Academic Aptitude, Leadership, and Aptitude in Visual and Performing Arts.

Students are selected for participation in the Gifted and Talented Program according to the following criteria (one or more may be used for identification) 1. A score of 85 percent or higher on any standardized test, which is administered in the spring of the year at the school. 2. Recommendation of teachers for creativity, leadership, academics, intelligence, critical thinking skills or cultural experience. 3. Recommendations from peers, parents, and/or self. 4. Specialized tests such as the Torrance Creative index, the William Test of Divergent Thinking or Cognitive Skills index may be used in some cases.

A student may receive credit for gifted and talented by fulfilling the following requirements: 1. 90 hours for a semester credit, 180 hours for a full credit. 2. Completion of the requirements for the area in which the student is involved. If a student fulfills these requirements, they will receive an "A" for this class. Hours can be carried over from one year to the next if a student does not receive enough in one year to get credit. Students may receive more than 1 credit in the same discipline or different disciplines during their high school career.

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## *ATHLETIC /ACTIVITIES POLICY*

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### **Junior/Senior Prom**

Each spring, a Prom is held at Turtle Mountain Community High School. Although tradition plays an important role in the planning of the Prom, it is necessary for all students/guests planning to attend the Prom to adhere to the following:

1. Only Turtle Mountain Community High School juniors and seniors may invite one other person.
2. Students must walk in the Grand March with the person they invite.
3. TMCHS students, freshmen to senior, 14-18 years of age may attend the Prom as an invited guest.
4. Students attending other schools, freshmen to senior, ages 14-18 may attend TMCHS.
5. Prom as an invited guest. Formal identification, if from another school, must be submitted to the Student Services Director or Athletic/Activities Director verifying this information (i.e., driver's license, etc.).
6. Students who have been suspended from any school shall not attend the Prom if the suspension occurs at the same time as the Prom.
7. Students who are under expulsion from any school shall not attend the Prom.
8. Students who have dropped/withdrawn from ANY school during the present school year, in lieu of expulsion will not be allowed to attend the Prom.
9. Once a student signs-up for the Prom, students must sign a contract agreeing to stay in for the remainder of the evening.
10. All students must be in 'good standing' (not on an assigned out-of-school suspension and In-School Suspension for disciplinary purposes).
11. Students following Individuals with Disabilities Act (IDEA) will be subject to all regulations.
12. Student(s) must be eligible academically to attend prom. Example, if you are enrolled in 4 classes you must be passing all classes; students enrolled in 7 classes must be passing 6; students enrolled in 6 classes must be passing 5 classes.
13. Cutoff date to sign up for prom will be one week prior to the prom date (due to eligibility check) "NO EXCEPTIONS".
14. Prom money is non-refundable once you signed up with the exception of TMCHS prom being canceled.

### **Eligibility**

Student athletes are students first, athletes second. Student athletes are expected to be passing all classes for the entire course of the academic year.

If there is a question about a student's academic eligibility under the defined criteria listed below the student shall be deemed ineligible to participate until the next reporting period begins.

Eligibility slips are required to determine the student's academic standing in all classes. The academic standing is based on the student's performance from the beginning of each quarter or semester to the date signed by the instructor.

All instructors are expected to sign the slips. Students taking seven (7) credit classes must pass six (6) credit classes; students taking six (6) credit classes must pass five (5) credits classes; students taking five (5) credit classes must pass four (4) credit classes to be eligible for the next week's activities.

Eligibility slips are required by those students who will be performing in a public activity, competing inter-scholastically, participating in an activity with other schools, such as athletic teams, speech teams, vocational clubs. This will include band/choir activities or performances that are not required for grade. Student Council representatives must also meet eligibility requirements in order to participate in Student Council activities.

Students going on school-sponsored trips will be granted an "X" absence. An "X" absence is defined as a school-sponsored activity. It is the responsibility of the student to make-up all work missed by their school-sponsored activity absence within two (2) school days for each "X" absence.

### Eligibility Report (Weekly Procedures)

- A. The Athletic/Activities Director will provide the instructional staff and administration with a list of student participants in extracurricular activities for the appropriate activity each Monday.

Every Thursday a list will be generated of all students competing in sports and activities at the Turtle Mountain Community Middle and High School in which the instructional staff must list ineligible students. All grades should be current and up to date in NASIS so that the eligibility that is sent to coaches on Monday mornings is current. Eligibility will now run Monday to Monday.

Teachers must put in grades by 4:30 pm on Thursdays at the High School and by 4:30 pm on Fridays at the Middle School. Those grades will be drawn from NASIS for the Monday eligibility sent to coaches.

- B. The instructional staff will indicate student status for incomplete schoolwork, failing schoolwork, and/or unsatisfactory attitude on NASIS, our on-line database.
- a. The instructional staff will enter grades in NASIS by 4:30 pm each Thursday for the High School and by Friday at 4:30 pm for the Middle School.
  - b. A list will be generated, to coaches by the athletic department, each Monday by 12:00 noon for those students failing at least two classes in a given week. These students must, for the next week's eligibility, then have an eligibility slip signed and be given favorable grades by all scheduled instructional staff to be eligible to compete in the next week. This eligibility card must be submitted by 4:30 pm on Thursday or Friday to the Athletic/Activities department depending on if it is a MS or HS student.
  - c. Only the classroom teacher is able to sign the Eligibility Card. In the event of teacher absence, the Athletic/Activities Director or other Turtle Mountain Community High School or Middle School administrator may sign the card.
  - d. Administrators may also provide the attitude status for students participating in school-sponsored activities.
- C. The students will be notified by the coach or Athletic Department if they must have an Eligibility Card completed each Thursday or Friday depending on whether it is MS or HS.
- D. The Eligibility Card will be completed for all classes to indicate the student's status of passing/failing/incomplete and attitude.

- a. Both in class and out of class attitude is considered. Students must have no more than one (1) Unsatisfactory Attitude reports per week on the Eligibility Card.
- b. The Eligibility Card will be returned to the Athletic/Activities Director's secretary by 4:30 p.m. (2:30 p.m. on early-out days) each Thursday or Friday depending on MS or HS students.
- c. Failure by the student to submit the Eligibility Card by Thursday or Friday (depending on whether it is a MS or HS student) at 4:30 p.m. (2:30 p.m. on early-out days) will classify the student as Unsatisfactory for all classes.
- d. Students submitting a forged Eligibility Card will be ineligible to participate in athletic contests for one (1) week. Subsequent violations will result in loss of eligibility for the remainder of that sport season.
- e. Students are responsible for submittal/completion of one card. Completion/submittal of a card for another student will be considered forgery.
- f. The student will be classified as eligible for the week (Monday through Monday).
- g. All instructional staff will be provided with an Eligibility List by the athletic/ activities director's secretary each Monday at 12 noon.

### The Athlete's Code of Behavior

Since athletics in the Belcourt School District is a privilege and not a right, each athlete, parent and interested citizen of the community should be aware of the rules and regulations set forth by the Belcourt School District, the High School Activities Association, and the coaching staff.

It will be the duty of each head coach to have meetings at the beginning of his or her season, with the athlete, parents (or guardian), and interested individuals to explain the rules and regulations, in addition to a No-Use Contract, are to be presented in writing to each athlete and parent. This contract must then be signed by both athlete and parents, and then turned in to the responsible coach before the athlete may participate in any athletic contest. These contracts do not have to be signed until the final team cut for that sport is made.

### General Rules and Regulations

1. To be eligible for a sport I realize that I must have passed the required amount of classes.
2. I will ride school transportation for athletic contests away from school unless the parent or guardian has signed a transportation waiver, which can be obtained from the coach.
3. I will be personally responsible for school equipment checked out to me and I will replace lost or stolen items in order to compete in any sports at Turtle Mountain Community Schools.
4. I will conduct myself in a manner that will bring credit to the team, school, community, family and myself. Misconduct may result in my removal from the team.
5. I will follow proper rules of grooming to maintain good health standards in the locker room and in use of equipment. It is understood that each head coach will set grooming standards to be followed and will establish his/her own penalties for failure to comply.
6. The head coach will handle all discipline problems on any team. This includes but is not limited to transportation, dress code or any other rules that are written in either of the three handbooks provided by the athletic department. If problems are not resolved, the Athletic/Activities Director will take appropriate action. This will apply to both home and away events.
7. Students must be eligible for the entire year (in order to letter or to be nominated by a coach for any school sponsored activity awards, as well as NDHSAA and NDHSCA awards, and All

Star). Students are eligible for awards given by other groups in which the coach has no input in the selection process.

8. Every athlete will meet the rules and regulations of our governing body (North Dakota High School Activities Association).
9. If a coach requires additional rules and regulations, he/she must present them in writing to the Athletic/Activities Director and parents at the pre-season meeting. These rules, however, must be on file and accepted by the
10. Athletic/Activities Director. (Examples: curfew, dress code, team discipline and travel rules.)
11. I will not engage in any activity that misrepresents my team in any way, which may include stealing.
12. I will not use or sell tobacco products, alcohol products or controlled substances in any form at any time.
13. I will not engage in any activity that discriminates against another human being. These activities include hazing, harassment and sexual harassment.
14. I will not engage in fighting or assault or battery against another human being. These activities will not be tolerated.
15. Any tardy or absence during the week of an Athletic contest will be reviewed by the Athletic Director or designee and may result in that student not being eligible for competition during that week (see page 1).
16. Students must be in good standing for all school related activities to participate in home contests or activities, or away contests or activities.

The athletic department believes that by following the above rules and regulations, our athletes will create positive self-image, gain peer acceptance, learn self-control, and discipline. These attitudes will develop our athletes into better citizens for future involvement in our community and society.

### No-Use Contract

- A. The use of \*tobacco in any form (any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part or accessory of a tobacco product including e-cigarettes.) (smoking or chewing) and/or \*alcohol is prohibited. \*Tobacco and
- B. Alcohol will not be considered "controlled substances".  
PENALTY: North Dakota High School Activities Association rules will apply. First infraction: loss of eligibility for six (6) consecutive weeks. Second infraction: loss of eligibility for eighteen (18) consecutive weeks. Subsequent suspensions will begin when the previous suspension period has ended.
- C. The use, possession or distribution of a controlled substance is prohibited.

PENALTY: First infraction—Suspension for the remainder of the school year.

DATE: \_\_\_\_\_

\_\_\_\_\_  
Signature of Athlete

\_\_\_\_\_  
Signature of Parent/Guardian

## School Regulations

Student conduct at the school activities (assemblies, school trips, ball games, etc.) should show courtesy to all guests and hosts. Our image impressed upon others will be carried across the state. Violation of this rule will be handled in the same manner as any student misconduct.

1. Warning
2. Detention (morning, noon, or after school detention)
3. A "0" for the grade.
3. Notification of parent(s)
4. Parent conference
5. Referral for counseling
6. Referral for outside services
7. Loss of privileges
8. In-school suspension
9. Out-of-school suspension
10. Request for expulsion

Violations will be dealt with on an individual basis and disciplinary measures applied after an investigation of the incident/referral.

## Suspension from Extracurricular Activities

This method is used when a student's privilege to participate in all or certain extracurricular events is suspended for a fixed period of time or until certain conditions have been met.

TMCHS follows the NDHSAA rules regarding athletic participation/eligibility.

**\*An Extracurricular Handbook may accompany any activity above and beyond this handbook where additional rules apply by specific coaches and/or sports.**

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## STUDENT ISSUES

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### Student Appearance/Dress Code

School personnel will only become involved if the student's appearance interrupts the normal education process in the school. Shoes must be worn at all times and obscenities (direct or implied) on clothing will not be allowed. Extremes in dress or grooming, which may pose a hazard to the students' health and general welfare, will not be permitted.

### Necklines

Necklines must be modest. Our school prohibits necklines that can expose cleavage or too much of the chest.

### **Dress Codes and Safety**

School dress codes geared towards safety focus on a few areas including gang activity, theft, violence, and physical safety. They seek to eliminate clothing under which students can hide weapons as well as clothes that may make students more accident-prone. Some apparel may be banned because it may lead to additional outcomes whereas a reasonable person may believe “it may cause a disruption to the educational setting.” These may include items such as advertisements to join a certain cause or group.

### **Body Coverage**

Please make sure that if you have holes in your clothing that it is not in the groin or buttocks area. All clothing needs to keep these three covered at all times:

1. Buttocks
2. Belly
3. Chest

### **Hygiene**

All students need to practice good hygiene by wearing deodorant, brushing teeth, bathing and wearing clean clothes daily. If a student is having issues with any of these practices seek out help in the guidance or administration department and they will assist in any way possible.

Examples of inappropriate dress may include but are not limited to; dresses, shorts and skirts too short tube tops, low cut tank tops or blouses, bare midriffs, and undergarments showing, etc. Skirts and shorts must be no shorter than mid-thigh. Students will be expected to wear proper attire for all physical education classes such as shorts, t-shirts, tennis shoes, sweat socks, etc. Clothing that endorses drugs, alcohol, non-traditional tobacco, or violence is prohibited. Sunglasses or hoods are not to be worn during school hours. Students are encouraged to wear appropriate clothing for the season.

Students dressed inappropriately, will be asked to change or sent home to change that day.

Students with hickies will be asked to have the hickies covered or will be placed in an alternative setting until the hickies are no longer visible.

### **Braves 24 Club**

In order to be eligible to be a part of this club students will have to be academically eligible all season of two sports. You must participate in all four years of high school; you must letter in two sports and remain in good standing with coaches and teachers in said sports and school. Statisticians will also be eligible. For example: If you are a stat for one season, and play a sport in another season, you would be eligible. Students' names will be put on a banner when they graduate showing they successfully accomplished achievement in the Braves 24 Club.

### **School Property**

If school property is damaged by a student, that student will be contacted to make adequate repairs, pay for the damaged item or work off the cost by working for the school district.

Appropriate disciplinary action will be used, and a court complaint may be signed. All school property, including student lockers, desks, and storage areas are subject to being searched by school officials, with or without the use of drug sniffing dogs, and without prior notice to the student.

### **RECOMMENDED**

### **Descriptor Code FGCB**



### 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 student/students' personal property will be turned over to proper authorities.

### Reporting Requirements

The administrator who authorized the search shall notify the Superintendent whenever a search has been conducted and shall complete a search and seizure report form to be retained by TMCHS Main Office.

### Complementary Documents

- FGCB-E, Search & Seizure of Students Form

**End of Belcourt School District #7 Policy FGCB .....Adopted: 11/16/12**

**RECOMMENDED**

Descriptor Code: FGCA

### 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. Students shall be given advance notice of this policy through student handbooks or another form of notification.

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

### Search Procedure

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

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

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

### Use of Trained Dogs & Involvement of Law Enforcement

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

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

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

**End of Belcourt School District #7 Policy FGCA ..... Adopted: 11/16/12**

### Surveillance Cameras

Surveillance cameras are in use at the Turtle Mountain Community High School to protect students & the school system. Every classroom has a camera that is operational.

**RECOMMENDED** Descriptor Code: FFI

### Personal Communication Devices

The Belcourt School District recognizes the value of personal communication devices such as cellular phones, walkie talkies, personal digital assistants (PDA), wireless handhelds (mp3's, iPod's, etc.), and other personal communication tools.

However, within the confines of the school environment the use has potential to be disruptive when it undermines the integrity of an individual's right to privacy, adversely affects the quality of teaching or

learning, and/or interferes with the efficient operation(s) of the school. Communication devices equipped with picture taking capabilities, text messaging and email can be used inappropriately but it is also recognized that they may have value to the learning process when used appropriately.

Personal communication devices and cellular phones may not be used in any manner that will cause disruption to the educational environment. Student possession and use of personal communication devices, cellular phones, pagers and other electronic signaling devices on school campuses and buses, at school-sponsored activities, and while under the supervision and control of school employees is only permitted under stated circumstances.

### Student Use

Students are not encouraged to bring personal communication devices to school. The school will not be responsible for loss, damage, investigation, or theft of any personal communication device brought to school.

Use of personal communication devices for field trips and sporting events during school hours or off campus will be at the discretion of the advisor/coach.

Personal communication devices must be completely out of sight during class time unless otherwise allowed by the classroom teacher. If a staff member sees (or hears) a student with a cell phone without permission, it will be confiscated.

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

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

If a student's electronic device is confiscated, the building principal or Superintendent may only search the confiscated device in accordance with the district's Searches of Students policy.

### Consequences for Inappropriate Use(s)

First Offense: Device will be confiscated and turned over to school administration; devices will be returned at the end of the school day.

Subsequent offense(s): Detention or loss of privileges may be assigned.

If a school official suspects that a student possesses or is disseminating an image that potentially violates NDCC 12.1-27.103.3 or finds such an image during a search of an electronic device performed in accordance with policy, s/he may report this matter to law enforcement for investigation.

Repeat offenses may result in disciplinary action including suspension and/or expulsion may also be taken against any student using an electronic device in a manner that causes substantial disruption to the educational environment.

End of Belcourt School District #7 Policy FFI

Adopted: 02/12/13

**In the event a personal communication device confiscated by school administration is lost or stolen, the District will reimburse the owner the original value of the device (not to exceed \$300.00).**

## Student Conduct Standards & Disciplinary Procedures

Student misconduct shall be classified as a minor, moderate, or major violation of conduct standards. Definitions of these terms and disciplinary investigation and response procedures shall be included in student handbooks.

When determining the level of a conduct violation, a teacher, principal, or other school official with disciplinary authority shall take into account the totality of circumstances associated with the misconduct, such as, but not limited to:

1. The degree to which the misconduct disrupted the educational environment;
2. The degree to which the misconduct infringed on the rights of others;
3. The frequency and proximity of the incidents of prior misconduct.

When a school official is unsure of how to appropriately classify a student conduct violation, s/he shall consult with the building principal or, in the case of a building principal, the Superintendent before responding to the misconduct.

Neither this requirement nor the disciplinary procedure below shall supersede district policies and procedures containing emergency response and safety measures.

## Investigation & Disciplinary Procedures

Minor conduct violations: Minor conduct violations shall be handled by the student's classroom teacher or by a school official with disciplinary authority when the student is not under the supervision of a classroom teacher. If the teacher/school official did not witness the misconduct, s/he will investigate to determine if the student was in violation of conduct standards. When the teacher/school official determines that a minor conduct standard was violated, s/he shall submit to the building principal a misconduct report, which may be placed in the student's educational record at the principal's discretion in accordance with applicable policy and law. In addition, teachers'/school officials with disciplinary authority are authorized to respond to minor conduct violations by invoking one or more (if permitted by this regulation) of the following options:

Minor offenses:

1. Require the student to attend detention;
2. Withdraw student privileges;
3. Contact the student's parents;
4. Develop a behavior adjustment plan;
5. Hold a conference with the student's parent/guardian.

Options three through five are not considered disciplinary sanctions and may therefore be administered on their own or in combination with any disciplinary sanction listed above.

Moderate and major conduct violations: Such offenses shall be referred to the building principal/designee for investigation and response. A teacher or school official referring a student to the building principal as a result of a potential conduct violation shall complete a misconduct report for the principal to review. The principal/designee shall conduct further investigation as deemed necessary and shall include his/her findings on the misconduct report. This report may be placed in the student's educational record at the principal's/designee's discretion in accordance with applicable policy and law. If a moderate or major conduct violation is substantiated, the principal/designee is authorized to respond by invoking one or more (if permitted by this regulation) of the following options:

#### Moderate offenses

1. Require the student to attend detention;
2. Impose in or out of school suspension. The action shall only be taken in accordance with due process procedures contained in the district's suspension and expulsion policy;
3. Recommend alternative placement. This recommendation shall be submitted to the Superintendent for approval or denial. The Superintendent may approve such recommendations only if the student has been given notice of the charges against him/her and an opportunity to respond;
4. Refer the student to a school counselor;
4. Create a behavioral adjustment plan;
5. Hold a conference with the student's parent/guardian and classroom teacher;
6. Attend a prevention/behavioral intervention workshop.

Options four through seven are not considered disciplinary sanctions and may therefore be administered on their own or in combination with any disciplinary sanction listed above.

Major offenses: The building principal may respond to major student conduct violations using any of the measures listed above for moderate conduct violations or may recommend more severe penalties, which may include expulsion, in accordance with district policy. In addition to the disciplinary and behavioral intervention responses listed in this policy, the Superintendent or building principal may refer any student conduct violation to law enforcement when s/he deems warranted.

#### **End of Belcourt School District #7 Administrative Regulation FF-AR**

**\*\*In the event extenuating circumstances exist, administration will make modifications to the disciplinary guidelines and procedures as necessary.**

In the event there is a disciplinary infraction not defined, building administration will take disciplinary action in the best interest of that student and the safety and welfare of students and staff at Turtle Mountain Community High School.

#### **Prohibitions and Consequences for the following violations are as follows:**

Bullying, Fighting, Tobacco, Alcohol Abuse, Controlled Substance, Weapons, Hazing, Violent and Threatening Behavior, Gang Activity, Harassment and Sexual Harassment are outlined. Violation of any of the aforementioned policies may validate expulsion for the current school year, with the exceptions of a firearm violation requiring a minimum penalty of 365 calendar school expulsion, and any other weapon violation allowing for expulsion up to one calendar year.

**RECOMMENDED**

**Descriptor Code: ACE**

#### **Violent & Threatening Behavior**

##### **Reporting**

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

##### **Threat Assessment**

Upon receipt of a threat report, the building principal shall contact the Superintendent. If the threat concerns the

Superintendent, the Superintendent shall contact the Board President. The Superintendent (or Board President, if the threat concerns the Superintendent) shall contact the threat assessment team. The team, which includes the Superintendent or Board President (if the threat concerns the Superintendent) shall determine if the report constitutes a true threat as defined above and whether, given the nature of the threat, it should be handled internally or turned over to law enforcement. The team shall make the determination based on, but not limited to, the following:

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

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

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

### Disciplinary Consequences for Threatening Behavior

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

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

## Violent Behavior

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

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

### Complementary Documents

- **FGA, Student Educational Records**

**BELCOURT PUBLIC SCHOOL DISTRICT #7 POLICY ADOPTED 10/12/2012**

## Turtle Mountain Community Schools-Board Policy - BULLYING POLICY

### Definitions

For the purposes of this policy: *Bullying* is defined as conduct prescribed in NDCC 15.1-19-17:

1. "Bullying" means:
  - a. Conduct that occurs in a public school, on school District/Bureau of Indian Education (BIE) owned or leased premises, in a District/BIE owned or leased school bus or school vehicle, or at any public school or school District/BIE sanctioned or sponsored activity or event and which:
    1. Is so severe, pervasive, or objectively offensive that it substantially interferes with the student's educational opportunities.
    2. Places the student in actual and reasonable fear of harm;
    3. Places the student in actual and reasonable fear of damage to property of the student; or
    4. Substantially disrupts the orderly operation of the public school; or
  - b. Conduct that is received by a student while the student is in a public school, on school District/BIE owned or leased premises, in a District/BIE owned or leased school bus or school vehicle, or at any public school or school District/BIE sanctioned or sponsored activity or event and which:
    1. Is so severe, pervasive, or objectively offensive that it substantially interferes with the student's educational opportunities.
    2. Places the student in actual and reasonable fear of harm.
    3. Places the student in actual and reasonable fear of damage to property of the student; or
    4. Substantially disrupts the orderly operation of the public school.
2. "Conduct" includes the use of technology or other electronic media.

Examples include but are not limited to: (gossiping, repeated name calling, taunting/teasing, cyber bullying, physical bullying, damage of property, hazing, harassment, discrimination, social exclusion, public humiliation,)

*Protected classes* include race, color, religion, gender, national origin, ancestry, age, disability (physical or mental), status with regard to marriage or public assistance, or other status protected by law.

*School property* or the term *on-campus* refers to all property owned or leased by the District/BIE, school buses and other vehicles, or any school District/BIE sponsored or school-sanctioned activity.

*School-sanctioned activity* is defined as an activity that:

- a. Is not part of the District/BIE curricular or extracurricular program; and
- b. Is established by a sponsor to serve in the absence of a District/BIE program; and
- c. Receives District/BIE support in multiple ways (i.e., not school facility use alone); and
- d. Sponsors of the activity have agreed to comply with this policy; and
- e. The District/BIE has officially recognized through board action as a school-sanctioned activity.

*School-sponsored activity* is an activity that the District/BIE has approved through policy or other board action for inclusion in the District/BIE's extra-curricular program and is controlled and funded primarily by the District/BIE.

*School staff* include all employees of the **Belcourt School District # 7 and Bureau of Indian Education personnel**, school volunteers, and sponsors of school-sanctioned activities.

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

## Prohibitions

While at a District/BIE school, or on school District/BIE premises, in a District/BIE-owned or leased school bus or school vehicle, or at any District/BIE school or school District/ BIE sanctioned or sponsored activity or event, a student may not:

Engage in bullying (to include passive, aggressive and/or through another party): Engage in reprisal or retaliation against:

- a. A victim of bullying.
- b. An individual who witnesses an alleged act of bullying.
- c. An individual who reports an alleged act of bullying; or
- d. an individual who provides information/participates in an investigation about an alleged act of bullying.

Knowingly file a false bullying report with the District/BIE.

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

## Reporting Procedures for Alleged Policy Violations

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



and failed to report it in accordance with the procedure above, the staff member may be subject to disciplinary consequences or, for sponsors of school-sanctioned activities, other corrective measures.

Reporting options for students and community members: Students and community members (including parents) may report known or suspected violations of this policy using any of the following methods:

1. Completing a written complaint form: A complainant will have the option of including his/her name on this form or filing it anonymously. The District/ BIE will place the form in a variety of locations throughout the school and should inform students and staff of these locations. The form may be returned to any school staff member, filed in a school building's main office, or placed in a designated drop box located in each school.
2. Complete and submit an online complaint form. A complainant will have the option of including his/her name on the form or submitting it anonymously.
3. File an oral report with any school staff member.

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

### Reporting to Law Enforcement & Others Forms of Redress

Anytime a school staff member has reasonable suspicion that a bullying incident constituted a crime; s/he shall report it to administration/immediate supervisor who shall report to law enforcement. Documentation of law enforcement report should be included with any other documentation for that bullying investigation. Also, nothing in this policy shall prevent a victim/his/her family from seeking redress under tribal, state and federal law.

### Documentation & Retention

The District/ BIE shall develop a form to report alleged violations of this policy.

The form should be completed by school staff when they:

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

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

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

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

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

### Investigation Procedures

School administrators (i.e., a principal/designee, an assistant superintendent, or the Superintendent) are required to investigate violations of this policy (as prescribed under "Prohibitions"), when in receipt of actual notice of an alleged violation. Actual notice of an alleged violation occurs when

alleged bullying, reprisal, retaliation, or false reporting is reported using the applicable method(s) prescribed in the reporting section of this policy. Upon receipt of a report of an alleged policy violation, the designated administrator shall first determine if the alleged policy violation is based on a protected class—whether actual or perceived. Reports involving a protected class shall be investigated in accordance with the District/BIE harassment/discrimination policy, including the timelines contained therein. In all other cases, administration shall determine the level of investigation necessary based on the nature of the alleged violation of this policy after considering factors such as, but not limited to the identity of the reporter and his/her relationship to the victim/alleged perpetrator; the ages of the parties involved; the detail, content, and context of the report; whether this report is the first of its type filed against the alleged perpetrator. Based on the level of investigation the administrator deems necessary, investigations may include any or all of the following steps or any other investigatory steps that the administrator deems necessary:

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

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

### Disciplinary & Corrective Measures

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

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

9. Require perpetrator to attend educational/social personal programming.
10. Court referral.
11. Referral to Human Services.
12. Suspended from all extra-curricular activities.

If the misconduct does not meet this policy's definition of bullying, it may be addressed under other District/BIE disciplinary policies.

For bullying initiated off campus and received on campus (e.g., cyber bullying), the District/BIE only has authority to impose disciplinary measures if the bullying occurred within the context of an education program or activity or had continuing effect in the educational setting on campus or in an off-campus program or activity, or if it posed a true threat. In all other cases of off campus bullying received on campus, the District/BIE may only take corrective measures as described in items one (1), and six (6) through eight (8).

If the perpetrator is a school staff member, the District/BIE shall take appropriate disciplinary action including, but not limited to a reprimand, modification of duties (only if allowed by applicable policy, the negotiated agreement, and/or the individual's contract), suspension, or a recommendation for termination/discharge in accordance with any applicable law.

### Victim Protection Strategies

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

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

### Prevention Programs & Professional Development Activities

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

**Belcourt Public School District #7 & 100-297 Grant Board**

**Descriptor Code: ACEA Policy**

**Adopted: June 12, 2012**

### Fighting

Fighting or causing others to fight is specifically prohibited on school property and at all school functions. For purposes of this policy, fighting is determined as assault and battery, with or without the use of fists or weapons. Fighting is not an acceptable alternative to dealing with disagreements among students. Students are encouraged to seek help from a counselor, teacher or administrator

when problems arise. Fighting endangers the health and safety of students and interrupts the proper order of the school.

Once a fight has been determined, the following will take place:

1. Parents/guardians will be notified; student may be sent home for the day.
2. Students will be assigned \* in school suspension or an out-of-school suspension for a period of eight (8) school days.
3. An administrator or designee may report to law enforcement.
4. A request for expulsion may be made to the Superintendent for the remainder of the current school year.
5. Recommendations for expulsions will be handled in accordance with the District/BIE's Suspension and Expulsion policies and regulations.
6. Administration/designee may require student to attend the Community Diversion Program in order to remain in school.
7. Students recording and distributing physical or verbal altercations will be placed on Out-of-School suspension for four days. Further violations may result in a request for expulsion for the remainder of the semester. Due process procedures will be followed.

Should a second offense occur, the student will be placed on an eight (8) day out-of-school suspension and a recommendation for expulsion will be made to the Superintendent. During this time, a Due Process hearing will be held by the Expulsion Committee to determine the appropriate consequences and/or appropriate interventions.

**Students placed on an out-of-school suspension will be responsible for requesting and picking up missed schoolwork.**

\*Students not meeting/following the requirements of the **In-school suspension** may be referred back to the Expulsion Committee for possible expulsion.

### Anti-Gang

Gang activities will not be tolerated in the Turtle Mountain Community Schools and the District hereby **prohibits** all gangs, gang affiliations and gang related activities from all school buildings, property, buses, vehicles and school related activities at all times.

The Turtle Mountain Tribal Community has identified criminal street gang activity as an external disruptive influence that presents a clear and present danger to the safe and orderly operation of our educational institutions. The Turtle Mountain Community have a responsibility to maintain a school environment free of violence, intimidation, or other behaviors which threaten the safety and well-being of students and staff. Anti-social and/or criminal activities of gangs or gang-like groups threaten the school environment and disrupt the educational process.

**"Gang"** is defined as any identifiable association, organization, group or club which exists without the sponsorship or authorization of the school, and which engages in antisocial or criminal behavior or activity which is disruptive of the school environment.

**"Gang Activity"** is defined to include recruitment, initiations, hazing, intimidation, retaliation and/or related activities which could potentially cause bodily danger, physical harm, or personal degradation or disgrace and result in physical or mental harm to students are prohibited as are all forms of criminal activity.

Use of language or hand signals, the display of graffiti or tattoos, or wearing of any visible apparel, -- including but not limited to clothing, footwear, bandannas, jewelry, and other accessories -- that by virtue of color, arrangement, trademark, symbol or any other attribute that indicates or implies membership or affiliation with a gang is hereby prohibited in the Turtle Mountain Schools.

School administrators will monitor the school environment and parents will be informed of suspected gang involvement and/or activities. If a school administrator substantiates a student's involvement in gang activity, the parent or guardian will be informed, and appropriate law enforcement and social service agencies will be notified.

School administrators shall comply with FERPA confidentiality laws when releasing student record information. Cooperation with law enforcement agencies is authorized and encouraged.

Staff is responsible to immediately report suspected gang activity to school principal, administrators or security officers.

Students are highly encouraged to report suspected gang activity to school principal, administrators or security officers. Superintendent will implement a standard protocol of consequences and remedial actions for students found to have made false accusations about suspected gang activity. The District prohibits reprisal or retaliation against individuals who report suspected gang activity.

Superintendent will implement procedures for the prompt investigation of suspected gang activity or similar destructive or illegal group behavior.

**Application and Enforcement:**

- In determining, as part of the application and enforcement of this policy, whether acts, conduct, or activities are gang related, school administrators are encouraged to exercise discretion and judgment based upon evidence.
- School administrators may direct a student to refrain from gesturing, wearing or displaying any gang related colors, symbols or attributes once the school administrator has evidence the student has gang affiliations.
- School officials are strongly encouraged to work closely with local law enforcement officials in controlling gang-related activities. Local law enforcement can provide school officials with information regarding gang-related activities in the area, including names and characteristics of local gangs.
- The superintendent or building principals may at their discretion report instances of gang-related criminal acts or acts of serious disruption to local law enforcement authorities for further action. Instances of gang related criminal acts occurring on school property shall be reported to law enforcement.
- Students who have been found in violation of this policy shall be subject to the full range of school disciplinary measures, including suspension and/or recommendation for expulsion in addition to applicable criminal and civil penalties.

**1st Offense**

4 days OSS, referral to law enforcement, guidance referral and parent conference.

**2nd and Subsequent Offenses**

4-8 OSS, referral to law enforcement, guidance referral, parent conference and request for expulsion for up to the remainder of the school year.

\*Administration may require student to participate in the Community Diversion Program in order to remain in school.

\*\*In the event that the gang-related violations are determined to be a severe, eminent threat to the overall safety and welfare of the school and/or individuals, the TMCS reserves the right to request expulsion for a first violation.

All gang-related reports will be reported to the appropriate authorities.

### **“Gang” Activity Awareness Strategy**

- In order to combat and/or prevent gang-related activity that occurs within the context of an education program or activity or has a continuing effect in the educational setting on campus or in an off-campus program or activity, District/BIE administrators shall: Provide training for staff and teachers (first level responders) on gang prevention and intervention resources within a jurisdiction at least annually. The gang awareness information should be revised and updated regularly to reflect current trends in gang and gang like activity.
- Provide an annual gang awareness education for high school students at the start of school year with parents invited to attend. The gang awareness education information should be revised and updated regularly to reflect current trends in gang and gang-like activity.
- Create formalized collaboration plans between local school boards and local law enforcement.
- Work with community organizations/partners to identify service providers that effectively deliver prevention/intervention services.
- Ensure Superintendent implements prevention and intervention services at the school level.
- Ensure Superintendent utilizes available resources and funding opportunities to support gang prevention/intervention activities.

**REQUIRED**

Descriptor Code: FFD

### **Carrying Weapons**

#### **Definitions**

- *Firearm* is defined in accordance with 18 U.S.C. 921.
- *School Property* is defined in NDCC15.1-19-10 (6)(b) as all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by the District, and the site of any school sponsored activity.
- *Weapon* includes, but is not limited to:
  - Any dangerous weapon as defined by NDCC 62.1-01-01.
  - Any device designed to stun through the use of voltage whether through direct contact or through a projectile.
  - Any firearm looks alike, or dangerous weapon look alike brought on school property with the intent to threaten or intimidate;
  - Any other object that a student used, attempted to use, or intended to use to threaten or intimidate, cause destruction to property, or to cause injury to self or others.
  - Spray or aerosol containing ortho-chlorobenzamalonitrile or other irritating agent intended for use in defense of an individual.

#### **Prohibitions**

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

## Disciplinary Consequences

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

Bringing a firearm to school will require that the District immediately initiate proceedings for the expulsion of the student involved for a minimum of one calendar year in accordance with the district's suspension and expulsion policy.

The Superintendent may modify the length of a firearms-related expulsion on a case-by-case basis based on the following criteria:

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

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

## Special Education Students

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

## Non-applicable Provisions

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

## Complementary Documents

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

**End of Belcourt School District #7 Policy FFD Adopted: 11/16/12**

### Smoking/Chewing Tobacco/\*Electronic smoking devices (with or without nicotine).

Smoking, chewing, and \*electronic smoking devices to also include cartridges, oils, waxes, components and/or possession of tobacco and devices by high school students is prohibited on school property, in school vehicles, or at school-sponsored events (whether on or off school property), at any time. The North Dakota High School Activities Association Rules will apply.

#### Consequences:

- a. On the first violation the student will be assigned one (1) day in-school suspension. Parents will be notified. All smoking and chewing materials will be confiscated. These materials will not be returned to the student. Prevention education will be provided. A petition will be filed with the court system by an administrator or designate.
- b. On the second violation, the student will be assigned three (3) days in-school suspension. Parent conference will be
- c. required. No reduction will be considered. Prevention education will be provided. A petition will be filed with the court system by an administrator or designate.
- d. Subsequent violations will result in the students being assigned in-school suspension for five (5) days. Prevention education will be provided. When the student reaches the limit of 15 days out of classes, at that time, a recommendation to the Superintendent for expulsion may be made and expulsion proceedings may commence. A referral to law enforcement may be made by an administrator or designate.
- e. Notice will be given to the Athletic/Activities Director for all violations.

**\*Students refusing Prevention Education will be referred to administration for further disciplinary action.**

**\* Electronic smoking devices found to contain a controlled substance (s) will result in immediate application of the Alcohol and Other Drug Intervention procedure and the Student Alcohol and Other Drug Use/Abuse policy.**

**REQUIRED**

Descriptor Code: FFA

### Alcohol & other Drug Intervention Procedure

The District encourages faculty members to be observant of student behavior and to participate in a program of intervention.

If the faculty member suspects that the behavior indicates a possible prohibited activity, the student should be reported to the principal and taken immediately to the school administration office.

If the school administration has reasonable suspicion that the student is under the influence, the following steps will be followed:

1. An assessment by trained school personnel will be conducted.
2. A search of the student's person and/or property may be conducted.
3. A drug/alcohol screen may be required based upon results of the assessment and/or search. Required drug screens must be presented to school administration within a three-hour time frame.
4. The student's parent will be notified and may be requested to pick up their student.
5. The student may be removed from the school by school, medical, or law enforcement personnel.
6. A referral to guidance personnel will be made by school administration.
7. A referral to law enforcement may be made by school administration.



8. A request for a drug/alcohol evaluation may be required.

Prohibited substances will be confiscated and illegal substances will be turned over to the law enforcement authorities.

If the Licensed Addiction Counselor and/or school administration believes that the student is indeed in need of intervention assistance, the Licensed Addiction Counselor and school administration may call the student in for a conference. If the Licensed Addiction Counselor calls this meeting, s/he shall notify the building principal/designee of this conference. The student's parents shall be notified of this conference and asked to attend. Parents shall be requested to attend the conference.

If, after conferring with the student, parent, and administration, the Licensed Addiction Counselor believes that there is a probability that the student may be experiencing a drug or alcohol problem, the student and the student's parent(s)/ guardian will be told that it is necessary that the student receive a formal chemical dependency diagnosis.

**End of Belcourt School District #7 Administrative Regulation FFA-AR**

## **Student Alcohol & Other Drug use/Abuse**

### **Philosophy**

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

### **Prohibited Activities**

It shall be against school policy for any student to:

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

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

### **Prohibited Substances**

1. Alcohol, powdered alcohol, or any alcoholic beverage.

2. Any controlled substance or dangerous drug as defined by NDCC Sections 19-03.1-05 through and 19-03.126 (paraphernalia) or as defined by Section 812, Schedules I-V, of Title 21, United States Code, Section 801, et seq., including but not limited to marijuana, any narcotic drug, any hallucinogen, any stimulant or depressant, and all other illicit drugs.
3. Any glue, aerosol paint, or any other chemical substance used for inhalation.
4. Any prescription or non-prescription drug, medicine, vitamin or other chemical including, but not limited to aspirin, other pain relievers, stimulants, diet pills, multiple or other type vitamins, pep pills, "no-doze" pills, cough medicines and syrups, cold medicines, laxatives, stomach or digestive remedies, depressants, sports or muscle-building supplements, and sleeping pills not administered and/or taken with appropriate consent and authorization from parents, school administration, and, if applicable, a health care provider.

The District has a separate policy dealing with tobacco use.

### Reporting Violations

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

### Violation

When a principal/Superintendent/designee has reasonable suspicion that a student has violated this policy, s/he may search the student in accordance with the district's policy on searches of students' personal property. In addition, an assessment may be conducted by trained school personnel to determine if there are signs and symptoms of drug/alcohol use. Based on the results of the search and/or assessment, a drug/alcohol screen may be required by the principal/Superintendent/designee. (See Exhibit FFA-E)

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.

### Controlled Substance Sanctions

#### First Violation

- a. Drug Intervention Procedure will be followed (See FFA-AR). If a drug screen is requested by the School Resource Officer or administrator, this must be presented to the principal/designee within three (3) hours, or the screen must reflect completion within a three (3) hour time period. Failure to provide the principal with a copy of the results or refusal to take the drug test will result in an (8) eight day out-of-school suspension, with no reduction in length and a request will be made to the Superintendent to recommend expulsion.
- b. Consequences for first-time violators will be a minimum of 20 days total, with four (4) days Out-of-School Suspension and sixteen (16) days of in school suspension, with the potential for more severe consequences in extreme cases (i.e., expulsion for the remainder of the current school year). The student will have the right to a Due Process hearing before the Expulsion Committee, and the District/BIE's expulsion policy and procedure will be followed.

- c. Parent/Guardian will be contacted and requested to come to the school.
- d. Parent/Guardian will be requested to have drug evaluation completed on their son/daughter by a Licensed Addiction Counselor and to follow through with the recommendations of that evaluation.
- e. The Superintendent will conduct an administrative investigation for the purpose of a recommendation for expulsion.
- f. A report to law enforcement will occur for each incident.
- g. Notice will be given to the Athletic/Activities Director.
- h. Upon completion of a treatment program or treatment plan as recommended by a Licensed Addiction Counselor, a student may petition the Superintendent for re-enrollment for that semester.

**\*\* All sanctions determined by Administration and/or the Expulsion Committee must be adhered to, otherwise, a request for expulsion for the determined time will be presented to the Superintendent.**

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When a teacher/principal participates in a juvenile court program and receives confidential information about a student

### **Second Violation**

- a. The parent/guardian will be contacted and requested to come to the school.
- b. Drug Intervention Procedure will be followed (See FFA-AR). If a drug screen is requested, this must be presented to the principal/designee within three (3) hours or the screen must reflect completion within a three (3) hour time period. Failure to provide the principal with a copy of the results, or refusal to take the drug test will result in an (8) eight day out-of-school suspension, with no reduction in length.
- c. Consequences for second time violations are that a request will be made to the Superintendent to recommend expulsion. The student will have the right to a Due Process hearing before the Expulsion Committee, and District/BIE's expulsion policy and procedure will be followed.
- d. Parent/Guardian will be requested to have drug evaluation completed on their son/daughter by a Licensed Addiction Counselor and to follow through with the recommendations of that evaluation.
- e. The Superintendent will conduct an administrative investigation for the purpose of recommendation for expulsion.
- f. Notice will be given to the Athletic/Activities Director.
- g. A report to law enforcement will occur for each incident.

**\*\* All sanctions determined by Administration and/or the Expulsion Committee must be adhered to, otherwise, a request for expulsion for the determined time will be presented to the Superintendent.**

### **Additional Administrative Guidelines**

- a. If, as a result of a violation of this policy, a student elects to enroll in another school system during the period of time affected by these rules and then re-enroll in the Turtle Mountain Community High School, he/she will be enrolled under the conditions specified by the School Board Policy FAAC.

- b. Exchanging, selling, giving away, or possession with the intent of exchanging, distributing, selling, or giving away a controlled substance or paraphernalia will be subject to the discipline guidelines for a second violation.
- c. The Turtle Mountain Community High School will offer a program each year dealing with the causes and effects of a controlled substance and alcohol abuse.

If a student comes to school and proves to be a danger to self or others, then he/she shall be removed from the school building immediately and placed under the conditions as set forth under the first violation as indicated above.

## Alcohol Abuse Sanctions

### **First Violation**

- a. Parent/guardian will be notified and requested to have a Breathalyzer done on their child within one (1) hour. Failure to provide the principal with a copy of the results, or refusal to take the Breathalyzer will result in an automatic (8) eight-day assignment to in school suspension with no reduction in length. Parent/Guardian will be required to take their child home for the remainder of the day if necessary. Drug Intervention procedure will be followed (See FFA-AR).
- b. Student will be assigned to in-school suspension for a period of (8) eight days.
- c. A report to law enforcement will be made.
- d. Parent/Guardian will be requested to have an alcohol evaluation completed on their son/daughter by a Licensed Addition Counselor and to follow through with the recommendations of that evaluation. Should the parents/guardians choose not to have an evaluation completed and/or not to follow the recommendation of the evaluation; a request for expulsion will be made to the Superintendent by the building principal. When a request for expulsion is made, due process procedures will be followed.
- e. Notice will be given to the Athletic/Activities Director.

### **Second Violation**

- a. Parent/Guardian will be notified and requested to have a Breathalyzer done on their child within one (1) hour. Failure to provide the principal with a copy of the results, or refusal to take the Breathalyzer will result in an automatic (8) eight-day assignment to the in-school suspension with no reduction in length. Parent/Guardian will be required to take their child home for the remainder of the day if necessary. Drug Intervention procedure will be followed (See FFA-AR).
- b. Student will be assigned to the **In-school suspension** for a period of (8) eight days' suspension with no reduction in length of the suspension.
- c. A report to law enforcement will be made.
- d. Notice will be given to the Athletic/Activities Director.
- e. A request for expulsion will be made by the building principal to the Superintendent. When a request for expulsion is made, due process procedures will be followed.

### **Additional Administrative Guidelines**

- a. If, as a result of a violation of this policy, a student elects to enroll in another school system during the period of time affected by these rules and then re-enroll in the Turtle Mountain Community High School, he/she will be enrolled under the conditions specified by the School Board.

- b. Exchanging, selling, giving away, or possession with the intent of exchanging, distributing, selling, or giving away an intoxicant will be subject to the same penalty normally provided for the second violation. Current North Dakota law shall control when determining intent.
- c. Turtle Mountain Community High School will offer a program each year dealing with the causes and effects of controlled substance and alcohol abuse.

**\*Students not meeting/following the requirements of the In-school Suspension will be recommended to the Superintendent for expulsion.**

### 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. School administration and guidance personnel shall develop a referral process for treatment.

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

The school will make a reasonable effort to cooperate with a therapy program if one is recommended for the student. The Board offers an opportunity for students to continue in a regular school setting in the event of a drug/alcohol violation when s/he is involved in a chemical dependency program and is successfully addressing his/her harmful involvement with chemicals. In these situations, a student must petition the Superintendent and provide appropriate documentation of progress/completion of a treatment regimen. North Dakota High School Activities Association rules and regulations will be adhered to.

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

### Confidentiality

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

### Education

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

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

## Policy Implementation

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

The Belcourt Public School District 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.

### Complementary Documents

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

**End of Belcourt School District #7 Policy FFA Adopted: 02/12/13**

**Descriptor Code: FFA-AR**

## Non-Discrimination & Anti-Harassment Policy

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

## Indian Preference

The District will, however, comply with and provide employment preference to Indians who claim the preference and are qualified for district employment in accordance with Section 703(i) of Title VII of the Civil Rights Act of 1964 as amended and the district's hiring policy. This policy and the complaint procedure established under it shall apply to individuals alleging a denial of Indian Preference due to a discriminatory practice as defined below.

### Definitions

- *Disability* is defined in accordance with NDCC 14-02.4-02 (5).
- *Discrimination/discriminatory practice* is defined in accordance with NDCC 14-02.4-02 (6).
- *Employee* is defined in accordance with NDCC 14-02.4-02 (7).
- *Harassment* is any physical or verbal conduct related to an individual's race, color, religion, gender, national origin, age, disability, or other class protected by law that creates an intimidating, hostile, or offensive working or educational environment or is otherwise sufficiently serious to substantially or unreasonably limit an individual's employment or educational opportunities.
- *Sexual harassment* is unwelcome sexual advances, requests for sexual favors, and/or other verbal, written, or physical conduct or communication of a sexual nature when:
  1. It is *quid pro quo*, meaning submission to such conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining

employment; of obtaining an education, advancement, or grade; or is used as a factor in decisions affecting an individual's employment or education.

2. It creates a *hostile environment* meaning such conduct or communication that has the purpose or effect of substantially or unreasonably interfering with an individual's employment or education or creating an intimidating, hostile, or offensive employment or education environment.

- Sexual harassment examples may include, but are not limited to:
  - Sexual or "dirty" jokes
  - Sexual advances
  - Pressure for sexual favors
  - Unwelcome touching, such as patting, pinching, or constant brushing against another's body
  - Displaying or distributing of sexually explicit drawings, pictures, and written materials
  - Graffiti of a sexual nature
  - Sexual gestures
  - Touching oneself sexually or talking about one's sexual activity in front of others
  - Spreading rumors about or rating other's sexual activity or performance
  - Remarks about a person's sexual orientation

### General Prohibitions

It shall be a violation of this policy for any district student or employee to harass or discriminate against another district student or employee sexually or based on any other class protected by law. The District will not tolerate harassment or discrimination of a district student or employee by a third party. The District also prohibits aiding, abetting, inciting, compelling, or coercing discrimination or harassment; discriminating against or harassing any person affiliated with a person protected by this policy and/or law; knowingly making a false discrimination and/or harassment report; and retaliation against individuals who report and/or participate in a discrimination and/or harassment investigation, including instances when a complaint is not substantiated.

### Complaint Filing Procedure

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

The District shall promptly investigate any harassment or discrimination complaint and act on findings as appropriate, which may include disciplinary measures such as, but not limited to, termination of employment or expulsion in accordance with board policy, law, and, when applicable, the negotiated agreement. Students and employees are expected to fully cooperate in the investigation process.

### Confidentiality

An individual wishing to file an anonymous harassment and/or discrimination complaint shall be advised that confidentiality will limit the district's ability to fully respond to the complaint. The

District will attempt to protect the identity of the complainant, witnesses, and alleged harasser to the extent possible under law; however, a harassment or discrimination investigation report is subject to the open records law after 60 days or when the investigation is complete (whichever comes first), with limited exceptions.

### Policy Training and Dissemination

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

### Nondiscrimination Coordinator

The Board designates Keith LaVallie, Human Resource Director (701-477-6471 ext.: 3240) and Dr. Shane Martin, Athletic/Activities Director (701-477-6471 ext.: 3224) as the Title IX and Nondiscrimination Coordinators. They can be contacted by phone or by mailing to Belcourt School District, P.O. Box 440, Belcourt, ND 58316-0440.

**Descriptor Code: AAC-BR**

### Discrimination & Harassment Grievance Procedure

The following procedure is designed to resolve harassment and discrimination complaints as defined in board policy in a prompt and equitable manner. Board policy requires all students and staff to fully cooperate when asked to participate in a harassment investigation.

The procedure contained in these regulations supersedes the district's Complaints about Personnel Policy.

### Retaliation Prohibited

The District prohibits retaliation for an individual's participation in and/or initiation of a harassment/discrimination complaint investigation, including instances when a complaint is not substantiated. The consequences for violating this prohibition are delineated in the "general prohibitions" section of policy, see AAC Non-Discrimination & Anti-Harassment Policy, section "general prohibitions".

### Complaint Filing Format and Deadlines

Complaints can be filed verbally or in writing and should be filed as soon as a victim or witness of alleged harassment and/or discrimination becomes aware that alleged harassment or discrimination occurred. Complaints must be filed within statutory deadlines contained in law.

### Informal Complaint Procedure

An informal harassment or discrimination complaint shall be filed using the following procedure. The complainant files the complaint with an immediate supervisor, principal, or Title IX Coordinator.



The individual receiving the complaint shall document receipt and forward the complaint to the Superintendent who shall designate an investigator. If the Superintendent is the subject of the complaint, the recipient shall forward it to the Board President who shall designate an investigator.

1. The designated investigator shall meet with each party individually and collect information needed to arrive at an equitable solution. At no time shall the complainant be required to work out the problem directly with the accused.
2. Within 30 calendar days of the complaint being filed or as soon as practical, the investigator shall issue a written notice of recommendations to both parties. Prior to issuing this notice, the investigator shall meet with the Superintendent or Board President (if the Superintendent is the subject of the complaint) to receive his/her concurrence on the recommendations and receive his/her approval on any disciplinary recommendations. Disciplinary recommendations shall be carried out in accordance with policy, law, and, when applicable, the negotiated agreement.
3. The investigator or designee shall monitor the implementation and effectiveness of recommendations and shall notify the Superintendent or Board President (if the Superintendent is the subject of the complaint) if harassment/discrimination persists.

Both the complainant and the accused have the right to terminate the informal procedure at any time to pursue a remedy under the formal grievance procedure.

### Formal Grievance Procedure

1. Filing a Complaint:
  - a. A victim or witness of alleged harassment or discrimination may file a formal complaint either orally or in writing to the principal, immediate supervisor, or Title IX Coordinator. If any of these individuals is the subject of the complaint, it should be filed with an alternative source, excluding the Board. Harassment/discrimination complaints about the Superintendent shall be filed with the Board President.
  - b. Upon receipt of the complaint, the recipient shall document the date, time, and nature of the complaint and shall request the complainant's signature on this document.
  - c. The recipient of the complaint shall notify the district's insurance carrier that a harassment or discrimination complaint has been filed.
  - d. Within five school days of receiving the complaint or as soon as practical, the recipient of the complaint shall issue a notice to the complainant and the accused that a complaint has been filed.
2. Investigation Process:
  - a. The recipient of the complaint shall confer with the Superintendent or Board President (if the Superintendent is the subject of the complaint) about who will be best suited to investigate the complaint. The investigation may be conducted by school personnel, or a third party designated by the District.
  - b. Before the investigation commences, the investigator in coordination with the Superintendent or Board President (if the Superintendent is the subject of the complaint) shall determine if interim measures must be taken to prevent

harassment/ discrimination during the course of the investigation and whether law enforcement or other applicable officials should be notified.

- c. The investigation shall consist of interviews with the complainant, the accused, and any others who may have witnessed or otherwise have knowledge of the circumstances giving rise to the alleged complaint and may involve gathering and review of information relevant to the complaint. Witnesses shall be instructed not to discuss this matter with others. At no time during the investigation shall the complainant be required to meet with the accused to discuss the complaint.
- d. The investigator shall complete his/her investigation within 15 calendar days or as soon as practical.
- e. Any deviation from the investigation procedure should be documented with an explanation. Reasons for delays in the investigation also should be documented.

3. Investigation Report:

- a. After the investigator has completed the investigation, s/he shall complete a written report containing a determination of whether allegations were substantiated, whether the discrimination/ harassment policy was violated, and recommendations for corrective action, if any. These determinations shall be made on a case-by-case basis and based on, but not limited to, the following criteria:
  - i. Whether evidence suggests a pattern of conduct supporting of disproving the allegations or harassment or discrimination
  - ii. Whether behavior meets the definition of harassment, sexual harassment, and/or discrimination as defined in board policy
  - iii. Ages of the parties involved
  - iv. Relationship between the parties involved
  - v. Severity of the conduct
  - vi. How often the conduct occurred, if applicable
  - vii. How the District resolved similar complaints, if any, in the past
- b. The investigator shall submit his/her report to the Superintendent or Board President (if the Superintendent is the subject of the complaint). This individual shall review the report, determine if the recommendations are appropriate, implement the portions of the report s/he approves, and develop a monitoring plan to evaluate the effectiveness of the recommendations and help prevent recurrence. Any disciplinary action shall be carried out in accordance with board policy, law, and, when applicable, the negotiated agreement.
- c. Prior to implementing the recommendations, the Superintendent or Board President (if the Superintendent is the subject of the complaint) shall issue his/her decisions in writing to the complainant and accused. These decisions shall be binding; however, nothing shall prevent the parties from seeking redress through state and/or federal law.
- d. The entire complaint filing, investigation, and reporting process should be completed within 30 calendar days or as soon as practical not to exceed 60 calendar days.

## Suspension and Expulsion

Students are expected to conduct themselves in a manner suitable to their age and grade. Students disobedient or disruptive of the educational process are subject to corrective discipline.

### Definitions

For the purposes of this policy:

- *School property* is defined as all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by the District, and the site of any school-sponsored activity.
- *Suspension* includes in-school suspension from classes as well as out-of-school exclusion from school classes, buildings, grounds, and activities.

### Suspension/Expulsion Authority

The Board hereby delegates to the Superintendent and each principal/designee the authority to deal with disciplinary problems in his/her school, including suspension and recommendation for expulsion of a student. Suspension shall not be imposed beyond the maximum duration permitted by law (up to ten consecutive days).

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

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

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

### Conduct Subject to Suspension/Expulsion

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

1. Causing or attempting to cause damage to school property or stealing or attempting to steal school property of value.
2. Causing or attempting to cause damage to private property or stealing or attempting to steal private property.
3. Causing or attempting to cause physical injury to another person except in self-defense.
4. Possessing or transmitting any firearms, knives, explosives, or other dangerous objects or weapons.
5. Possessing, using, transmitting, or being under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, or intoxicant of any kind.
6. Disobedience or defiance of proper authority.
7. Behavior that is detrimental to the welfare, safety, or morals of other students; 8. Truancy.
8. Offensive and vulgar language, whether it is obscene, defamatory, or inciteful to violence, where it is disruptive of the educational process.
9. Threats of violence, bomb threats, or threats of injury to individuals or property.

10. Any student behavior that is detrimental or disruptive to the educational process, as determined by the principal.

Copies of these rules shall be posted in a prominent place in each school and shall be published in student handbooks.

### Enrollment of Suspended Students

Any student who has been suspended from a school of the District is not eligible to attend any other school within the District until eligible to return to his or her regular school. Any student who has been suspended from another district will not be permitted to enroll in the District until eligible to re-enroll in his or her former district or until the Board or the Superintendent has reviewed the prior suspension and determines that the suspension was illegal or improperly given.

### Suspension or Expulsion of Students with Disabilities

Suspension or expulsion of students with disabilities must comply with the provisions of the Individuals with Disabilities Education Act.

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

#### Complementary Documents

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

**End of Belcourt School District #7 Policy FFK Adopted: 02/12**

**REQUIRED Descriptor Code: FFK-BR**

### 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/designee 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 and Expulsion Committee:** The student is entitled to an impartial hearer of facts. If the Superintendent has designated a hearing officer and expulsion committee member(s), the hearing officer and expulsion committee 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 and expulsion committee member(s) is not qualified under this rule, another hearing officer and/or expulsion committee member(s) 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 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 22 years.

5. Open or Closed Hearing: Since an expulsion hearing before a designated hearing officer and expulsion committee 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 and expulsion committee 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 and expulsion committee 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. An appeal of the hearing officer and expulsion committee decision may be made to the School Board via the Superintendent within ten school days of the hearing officer and expulsion committee's decision.
11. Appeal to School Board: Except when the Board serves as the hearing officer, an appeal of the hearing officer and expulsion committee'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.

For expulsion procedures, see the exhibit on guidelines for hearings.

**End of Belcourt School District #7 Board Reg. FFK-BR Approved: 02/12/13**

**EXHIBIT**

**Descriptor Code: FFK-E1**

## Suggested Procedure for Conducting an Expulsion Hearing

The following guidelines are offered recognizing that each expulsion hearing may call for a slightly different method of presentation. Expulsion hearings should be kept informal so that the truth may be obtained and a fair and just result reached.

1. **Advise the parties of the procedures to be followed:**
  - a. The hearing is being recorded (if it is), and either side may request the witnesses be sent to another room and be called individually.
2. **The student's parent(s) may be present.**
  - a. No formal rules of evidence will be followed, and the hearing will be informal, as it is not a court proceeding. However, certain procedures may be established which will facilitate the conduct of the hearing.
  - b. The Business Manager or secretary who is receiving the evidence and recording what is said should be identified as the person to whom exhibits and/or other written evidence or materials are to be presented.
  - c. The parties and their respective capacities should be identified for the record, prior to commencing the hearing.
3. **Allow the School's Witnesses to Testify and Present Evidence:** The witnesses for the administration then present their evidence in support of the reasons given for the proposed expulsion. This may be done in any manner that is conducive to reaching the truth and supports the reasons offered for possible expulsion.
4. **Allow Student's Witnesses to Testify and Present Evidence:** The student and/or his or her representative should be given an opportunity to present witnesses and evidence to disprove the reasons offered by the school's witnesses.
5. **Allow Concluding Arguments:** At the conclusion of the presentation of witnesses by the school and the student, each side should be allowed the opportunity to make concluding remarks and arguments regarding the evidence that has been presented and the reasons for the expulsion.
6. **Making the Decision:** The decision whether to expel may be made at the hearing or may be made after the hearing officer has had time to review the evidence. If the decision is delayed, the hearing officer should announce a time at which the decision will be made and notify the student and the student's parent or representative of the decision at that time.

When the hearing officer gives notification of the decision, the hearing officer should also inform the student and the student's parent or representative of the right to appeal the decision to the Board and the procedure for doing so if the Board did not serve as the hearing officer.

**End of Belcourt School District #7 Exhibit FFK-E1**

**EXHIBIT Descriptor Code: FFK-E2**

## Suspension and Expulsion of Special Education Students

### Definitions

- *Change of Placement:* Occurs if the removal is for more than 10 consecutive school days, or the child is subjected to a series of removals that constitute a pattern because the cumulate to more than 10 school days in a school year, and because of the length of each removal, the total amount of time the child is removed, and the proximity of the removals to one another.
- *Controlled substance* means a drug or other substance identified under schedules I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)).

- *Illegal drug* means a controlled substance; but does not include a substance that is legally possessed or used under the supervision of a licensed healthcare professional or that is legally possessed or used under any other authority under that Act or under any other provision of Federal law.
- *Weapon* has the meaning given the term "dangerous weapon" under paragraph 2 of the first subsection (g) of section 930 of title 18, United States Code.
- *Serious bodily injury* has the meaning given the term "serious bodily injury" under paragraph (3) of subsection (h) of section 1365 of title 18, United States Code. As defined at 18 U.S.C. 1365 (h) (3), the term serious bodily injury means bodily injury that involves:
  - A substantial risk of death
  - Extreme physical pain.
  - Protracted and obvious disfigurement; or
  - Protracted loss of impairment of the function of a bodily member or organ, or mental faculty.

## Suspension

1. Students with disabilities may be suspended for a period not to exceed ten consecutive school days for any conduct that would warrant suspension for a student who does not have a disability.
2. The designated building administrator will review the student's educational record to ascertain if the Individual Education Plan (IEP) addresses the behavior in question. If the IEP does address the behavior, the procedure specified in the IEP should be followed.
3. If the IEP does not address the behavior, the suspension may be effective immediately upon the decision of the designated building administrator.
4. Administration must make and document efforts to contact and notify the parent prior to the suspension. In any suspension of a student with a disability, the student's parent or representative shall be given oral or written notice of the charges, an explanation of the evidence supporting the charges, and an informal opportunity to respond to and rebut the charges.
5. A student with disabilities may be suspended for additional periods of up to ten consecutive school days for separate acts of misconduct as long as such removals do not constitute a change of placement. 6. Educational services must be provided in cases of removals (suspensions) in excess of ten days in a school year. The services are to be provided to the extent determined necessary to enable the student to appropriately progress in the general curriculum and appropriately advance toward achieving the goals of his/her IEP. The administrator in consultation with the student's special education teacher shall make the service determination.
6. If a child with a disability who has a behavioral intervention plan, has been removed from the child's current educational placement for more than 10 school days in a school year, and is subjected to another removal that does not constitute a change of placement, the IEP team members shall review the behavioral intervention plan and its implementation to determine if modifications are necessary.

## Change of Placement

For any disciplinary change in a special education student's placement, the IEP team must:

1. If the District did not conduct a functional behavioral assessment and implement a behavioral intervention plan for the child before the behavior that resulted in the removal, the District



shall convene an IEP meeting to develop an assessment plan. As soon as practicable after developing the plan and completing the assessments required by the plan, the District shall convene an IEP meeting to develop appropriate behavioral interventions to address that behavior and shall implement those interventions.

2. If the child already has a behavioral intervention plan, the IEP team shall meet to review the plan and its implementation, and modify the plan and its implementation as necessary, to address the behavior.
3. If one or more of the IEP team members believe that modifications are needed to the behavioral intervention plan, the team shall meet to modify the plan and its implementation, to the extent the team determines necessary.

### Manifestation Determination

In addition to the behavioral intervention meeting, the IEP team must make a manifestation determination for disciplinary changes in a special education student's educational placement using the following procedures:

1. Not later than the date on which the decision to take alternative placement action is made, the parents must be notified of the placement decision and provide the procedural safeguards notice described in 34 C.F.R. 300.504.
2. Immediately, if possible, but in no case later than 10 school days after the date on which the decision to take that action is made, a review must be conducted of the relationship between the child's disability and the behavior subject to the disciplinary action. The review must be conducted by the IEP team and other qualified personnel in a meeting.
3. In carrying out a review, the IEP team and other qualified personnel may determine that the behavior of the child was not a manifestation of the child's disability only if the IEP team and other qualified personnel:
  - a. First consider, in terms of the behavior subject to disciplinary action, all relevant information, including evaluation and diagnostic results, including the results or other relevant information supplied by the parents of the child; observations of the child; and the child's IEP and placement.
  - b. Then determine that in relationship to the behavior subject to disciplinary action, the child's IEP and placement were appropriate and the special education services, supplementary aids and services, and behavior intervention strategies were provided consistent with the child's IEP and placement; the child's disability did not impair the ability of the child to understand the impact and consequences of the behavior subject to disciplinary action; and the child's disability did not impair the ability of the child to control the behavior subject to disciplinary action.
4. If the IEP team and other qualified personnel determine that any of the above standards were not met, the behavior must be considered a manifestation of the child's disability and the disciplinary change cannot be imposed.
5. The review described above may be conducted at the same IEP meeting that is convened to create/review the behavioral intervention plan.
6. If the District identifies deficiencies in the child's IEP or placement or in their implementation, it must take immediate steps to remedy those deficiencies.

### Expulsion

1. An expulsion may be affected for a student with a disability for any conduct, which would warrant expulsion for a student without a disability.
2. Prior to expulsion, the IEP Team will meet to create/review the behavioral intervention plan and make a manifestation determination as described above.

3. If the IEP Team determines that the misbehavior is a manifestation of the disability, the student may not be expelled.
4. A student with a disability must continue to receive a free appropriate public education whether they are expelled. The District has an obligation to continue to provide educational services during the time of any expulsion of a special education student, with the manner in which the services are provided to be determined by the IEP Team.
5. A student with a disability for whom expulsion has been recommended is entitled to all the due process rights available to a student without a disability for whom expulsion has been recommended. In addition, the student with a disability is entitled to all the due process procedures available to a student with a disability under the Individuals with Disabilities Education Act and applicable state policies and procedures.

### Interim Alternative Placement

A special education student who has carried a weapon to school or to a school function, knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance while at school or a school function under the jurisdiction of a State or local educational agency or has inflicted serious bodily injury upon another person while at school, on school premises or at a school function under the jurisdiction of a State or local education agency may be removed from his or her current placement. Such a student may be placed in an appropriate interim alternative placement for the same amount of time that a child without a disability would be subject to discipline but for not more than 45 school days.

A continuation of the removal for an additional 45 school days may be granted if returning the student to the original placement is substantially likely to result in injury to the student or others. The IEP Team determines the location of the interim alternative education setting.

**End of Belcourt School District #7 Exhibit FFK-E2**

**RECOMMENDED**

**Descriptor Code: ACCA**

**The above policy includes students with a disability under IDEA or Section 504.**

### Sexual Offenders on School Property

#### Definitions

For the purpose of this policy:

- A *sexual offender* is defined in NDCC 12.1-20-25 and Title 42 of Turtle Mountain Sex Offender Registration Code.
- A *parent sexual offender* is an individual who meets this policy's definition of sexual offender and who has either parental or legal guardianship rights to a child attending a district school.
- A *non-parent sexual offender* is an individual who meets this policy's definition of sexual offender and who has no parental rights or legal guardianship rights to a child attending a district school.
- *School property* includes all land within the perimeter of the school site and all school buildings, structures, facilities, computer networks and systems, and school vehicles, whether owned or leased by the school district, the site of any school sponsored activity, and Child Safety

Zones/Property as defined in 42.13.03 of Turtle Mountain Sex Offender Registration Code.

### **1. Nonparent Sexual Offenders**

A non-parent sexual offender is prohibited from entering a district school except when s/he is a qualified voter and is entering school property solely for the purpose of casting his/he vote.

The sex offender will be required to provide notice and the District will be required to provide supervision in accordance with 42.13.07 of Turtle Mountain Sex Offender Registration Code.

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

### **2. Parent Sex Offenders**

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

- a. To transport his/her child to and/or from school. The parent sex offender will only be permitted to transport his/her own child.
- b. To attend a conference to discuss his/her student's progress, placement, individual education program (IEP) or other educational or medical issues.

The parent sex offender will be required to provide notice and the District will be required to provide supervision in accordance with 42.13.07 of Turtle Mountain Sex Offender Registration Code.

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

### **3. Student Sex Offenders**

The Superintendent shall determine the appropriate educational placement for student sex offenders except those identified as having a disability. When determining educational placement, the Superintendent shall consider such factors as the safety and health of the student population and requirements and exclusions contained in Title 42 of Turtle Mountain Sex Offender Registration Code. The Superintendent shall develop guidelines for managing each student sexual offender, and the District shall pay for the costs associated with educational placement.

An IEP team shall determine the educational placement of a student sexual offender with a disability in compliance with federal and state law and requirements and exclusions contained in Title 42 of Turtle Mountain Sex Offender Registration Code. The student with a disability is entitled to all the due process procedures available to a student with a disability under the Individuals with Disabilities Education Act. The IEP team shall develop procedures for managing each student sexual offender with a disability, and the District shall pay for the costs associated with educational placement.

### **4. General Provisions**

The Superintendent will inform the appropriate principal and other relevant district staff of the scope of the permission granted to each sexual offender. In order to be granted permission, the sex offender must:

- a. Provide notice to the Superintendent or his/her designee at least two business days prior to the date the sex offender is requesting to enter school property. If extenuating circumstances make such notice impossible, the notice must be provided as soon as possible and always prior to the sex offender entering

school property. If the sex offender fails to give notice, then the Superintendent or designee shall deny access to school property.

- b. Upon entering school property, the sex offender shall immediately report to the site's main office or location designated by the Superintendent/designee when authorizing the sex offender's request. The sex offender shall be confined to areas specified by the Superintendent/designee when granting the request and shall be chaperoned by a school official or designee while on school property. Failure of the sex offender to comply with these requirements shall be grounds for removal from school property and revocation of future school property access privileges.
- c. Sex offenders permitted on school property shall only be present for the time needed to fulfill the purpose of their visit. They must leave immediately once this purpose has been fulfilled. Failure of the sex offender to comply with these requirements shall be grounds for removal from school property and revocation of school property access privileges.

The above requirements may or may not be applicable to student sex offenders. The scope of permission, access to school property, requirements, and restrictions for student sex offenders shall be delineated in individual plans created in accordance with Section 3 of this policy.

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

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

Complimentary Documents

- ACCA-BR, Criteria for Granting Parent Offenders Privileges To Enter School Property

**End of Belcourt School District #7 Policy ACCA Adopted: 08/14/12**