

Policy J Students

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## **PILC Policy J: Students July, 2019**

### **JAA            EQUAL EDUCATIONAL OPPORTUNITIES**

Every student shall have equal education opportunities and access to all extra-curricular activities and supportive services regardless of race, color, creed, disability, sex, sexual orientation, national origin or place of residence.

### **JBA            COMPULSORY ATTENDANCE**

It will be the responsibility of the Superintendent and Indian Board of Education for the PILC to enforce the Compulsory Attendance Law as prescribed by the SD DOE.

### **JBB            ENTRANCE AGE**

Children attending the Pierre Indian Learning Center must be 6 years of age by September 1<sup>st</sup> and have successfully completed Kindergarten to enter into the First Grade.

### **JBC            SCHOOL ADMISSION**

Students applying for enrollment at the Pierre Indian Learning Center must be enrolled in a Federally Recognized Tribe of the Great Plains Region, or meet blood quantum requirements of their tribe based upon descendency. The school Indian Board of Education for the PILC also reserves the right to close enrollment due to capacity.

The parent/guardian is required to complete all enrollment forms of the school prior to being considered to have full admission. The forms include:

1. Medical (Immunization) Forms
2. Tribal Enrollment Card/Certificate
3. Social Security Card
4. Birth Certificate
5. Medical Consent Form
6. Bilingual Education Form
7. Medicaid Form/Proof of Private Insurance
8. Most recent report card
9. IEP if applicable
10. Social Summary Form
11. Health history form
12. McKinney-Vento Form
13. Other forms as required by the School

Certification for all immunizations is required for incoming students.

Student is considered enrolled on the first day of participation in activity or attending class pending Admission Committee approval.

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### **JBCB STUDENTS IN TRANSITION (HOMELESS)**

Pierre Indian Learning Center will provide children or youth experiencing homelessness with services comparable to services offered to other students in the school. Pierre Indian Learning Center will ensure the immediate enrollment of children or youth experiencing homelessness regardless of a lack of records and will work to quickly secure records for children and youth. The school will ensure the elimination of stigma or segregated services while working to eliminate identified barriers for homeless children and youth.

Students in transition will be identified through the Student Residency Verification Document which is part of the school enrollment packet. Homelessness is defined as students living:

- In a Shelter
- In a Motel or Campground due to lack of an alternative adequate Accommodation
- In a Car, Park or Abandoned House or Building or other Public space
- Doubled up with other people due to loss of housing or economic hardship

Students in transition have the right to:

- Receive a free, appropriate public education.
- Enroll in school and attend classes immediately while the school gathers lacking documents normally required for enrollment.
- Enroll in the local school; or continue attending their school of origin (the school they attended when permanently housed or the school in which they were last enrolled), if that is parent preference and is feasible.
- Receive educational services comparable to those provided to other students, according to the student's needs.
- School nutrition programs
- Referrals to outside agencies that may be able to assist families experiencing homelessness

Pierre Indian Learning Center provides a McKinney Vento liaison to work directly with students and families experiencing homelessness and to coordinate services with outside agencies. Should a dispute arise concerning services for students and families in transition, the McKinney Vento coordinator will assist families in filing a complaint using the school's complaint procedure found in Policy JCE.

### **JBCC JUVENILE SEX OFFENDERS (Ref: SWO-Chapter 75-05-12)**

Due to the residential nature of the PILC, Juvenile Sex Offenders will not be considered for enrollment.

### **JBCCB ASSIGNMENT OF STUDENTS TO CLASSES**

Grade placement is made by the Principal according to the academic history and progress of the student. Admission will be granted once the application has been approved by the Admissions Committee.

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Transfers from other schools shall be honored in reference to the student's placement until such time as there may be evidence that the student would be better placed.

### **JBD            ABSENCES AND EXCUSES**

An excused absence is an absence because of approved student activities: 1) prior approved cultural activities, 2) personal illness, 3) death in the family, 4) prior approved educational activities.

Approved absences for cultural or educational activities may be counted as school days with prior approval from the Superintendent or Principal. Educational activities may be counted as school days with acceptable documentation.

### **ABSENCES**

If a student is going to be absent from school, an excuse signed by the parents or a phone call is required to be made to Administration. Administration will contact parents when no excuse is provided by parent. All Absences will be marked as unexcused if no contact is received from parent/guardian within 24 hours of absence.

Parents will be notified in writing by the Superintendent when a student reaches 3, 5, and 10 days of absence during the school year.

If a student misses 10 consecutive days, the school will drop the student from school enrollment. The student will have to petition the Admissions Committee for re-enrollment.

Students absent for a total of 5 days excused/unexcused (or same class period) will be referred to the Student Assistance Team to determine an appropriate plan of action. Parent/Guardian and student will meet with the team. The team may consist of the following: The appropriate grade level team, Principal, parents and counselor.

If a student has 10 days of unexcused absences during the school year, the parent will meet with the Principal to develop an attendance contract. The students may be dropped from enrollment if the parent/student does not meet with the Principal. The principal will provide the school Indian Board of Education for the PILC with an updated student attendance report at the next regular school Indian Board of Education for the PILC meeting. If the attendance contract is violated, the parent will be scheduled to meet with the school Indian Board of Education for the PILC for possible disenrollment. Any student that has been on an attendance contract the prior two years will begin the new school year with an attendance contract. Students with attendance contracts for 2 consecutive years or who are in violation of current attendance contract will not have priority status for enrollment. The Admissions Committee will review the application for approval of enrollment prior to starting school.

The school Principal will notify the Child Protection Program/Court Juvenile Services when a student reaches 10 days of unexcused absences and again at 15 days of unexcused absences during a school year.

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If a student is absent for 3 or more consecutive days due to illness, they will be required to provide a doctor's slip or it is recorded by the school as an unexcused absence.

A student with a total of 15 absences throughout the school year will be referred to a Student Assistance Team to consider retention in their present grade level.

If it is necessary for a student to leave school during the day, the Academic Office needs to be informed in writing or by phone, and the student needs to be signed out at the office by the parent/guardian.

First through eighth grade students who have been absent or plan to be absent will meet individually with their teachers to get their assignments as part of the classroom procedures. It is recommended that if a student misses school for several days and feels up to doing some work, a parent or other family member should contact the school to have make-up work prepared. Please allow 24 hours for the teachers to gather work together.

A student is counted absent in the morning if he/she leaves before 10:00 am or half-day absent if he/she comes in after 10:00 am. If he/she leaves before 2:00 pm, he/she is counted absent in the afternoon. They will be counted tardy if they come in between the hours of 8:10 am (6<sup>th</sup>-8<sup>th</sup> grade) and 8:35 am (1<sup>st</sup>-5<sup>th</sup> Grade).

Students are not permitted to leave the school grounds during recesses or after school unless accompanied by a staff member for a supervised group activity.

### **TARDIES TO CLASS**

Students are expected to report to class on time. A student is tardy if he/she arrives to class within 3 minutes after the scheduled time to begin class. If excused, a pass will be given by the staff member responsible for the student when late to class.

### **PASSES**

Students are required to have a pass any time they are out of class. Teachers will issue passes for valid reasons only. Those without a valid pass will result in unexcused tardy or skipping.

### **Tardiness**

Unexcused tardies will result in classroom intervention/consequences according to classroom expectations and procedures. Sixth through eighth grade students who receive more than 2 tardies in a week will be required to serve afterschool tardy detention.

## **JC                      STUDENT RIGHTS AND RESPONSIBILITIES**

### **RIGHTS:**

1. The right to a free and appropriate education; incorporating all applicable federal, tribal and statutory constitutions.
2. The right to freedom of religion and culture.
3. The right to be free from unreasonable search and seizure of their person and property, to a reasonable degree of privacy, and to a safe and secure environment.

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4. The right to freedom of the press, except where the material is libelous, slanderous, obscene, or prejudicial.
5. The right to freedom of speech and expression so long as the expression does not disrupt the educational process or endanger the health and safety of others.
6. The right to freedom from discrimination, based on sex, race, etc.
7. The right to be free from cruel and unusual punishment.
8. The right to peaceable assembly and to petition for the redress of complaint.
9. The right to due process.

### **RESPONSIBILITIES:**

1. To obtain an education. The student must regard the opportunity of obtaining an education as one of their duties to the community. It is the responsibility of students to attend school/classes regularly, be prepared for class and complete their assignments.
2. To follow school rules. The student must obey recognized rules and procedures developed by the school.
3. To practice self-control. The students must refrain from inflicting bodily harm on self and others and respect the privacy or others' person and property.
4. To know the grievance procedure. The student must know and use the proper methods and channels of complaint resolution.

### **JCAA            DUE PROCESS**

1. **RIGHT TO A FAIR AND IMPARTIAL HEARING**
  - A. The hearing must be fair and impartial. It is the responsibility of the school Principal to see that the hearing is fair.
  - B. Participants in the hearing may be limited to interested parties.
2. **RIGHT TO COUNSEL**
  - A. The student may use any person, including a student or other school personnel, as his/her counsel.
  - B. The student is entitled to the services of an attorney, at his/her own expense, if he/she desires legal representation.
3. **RIGHT TO CROSS-EXAMINE**
  - A. The student shall have the right to confront the witness against him/her.
  - B. The student has the right to examine evidence to be used against him/her far enough in advance to enable him/her to prepare his/her defense. The student must not be surprised with new evidence at the hearing.
4. **RIGHT TO RECORD OF HEARING**
  - A. The student will be provided a copy of the hearing upon request.
  - B. The school must provide an accurate resume of the hearing. There need not be a verbatim account of the proceedings.
  - C. Hearing records should be maintained for at least one school year.
  - D. In case of appeals, accurate accounts must be furnished to the office receiving the appeal.
5. **RIGHT TO ADMINISTRATIVE REVIEW AND APPEAL**
  - A. Students may appeal adverse decisions of the school Principal within five- working days of the decision to the Superintendent.

## **HEARING PROCESS**

It will be the responsibility of the Principal to insure a fair and impartial hearing for any student facing allegations which could result in long-term suspension, expulsion, or transfer.

1. A phone call will be made to parents/guardians within 24 hours of the incident. The reporting staff member must specify each occasion of violation, the date, and the allegation. After the phone conversation, this information must be communicated to parents in writing no more than 48 hours after the incident.
2. If the parent or student requests a Due Process meeting, it will be scheduled by the Superintendent to hear the case no more than five (5) working days after the student, his/her parent(s)/guardian(s) have been informed of the allegations in writing.
3. The student must be given enough time to examine the evidence to be used against him/her to prepare a defense. If the student feels they have had not had enough time to prepare a defense, the chairperson may grant a reasonable postponement.
4. The student has the right to be represented by law or legal counsel of his/her choice. Attorney's fees are to be borne by the student.
5. The student has the right to confront and cross-examine all witnesses against him/her and to procure witnesses on his/her behalf.
6. No student shall be compelled to testify against himself/herself.
7. At all times during the hearing, the student has the right to have his/her parent(s)/guardian(s) or their designee present.
8. The school must keep accurate written account of the hearing. Upon request, the student will be given a copy of the hearing proceedings; including written findings of fact and conclusion in the case. The Due Process Committee will have a decision within five (5) days.

## **JCAB      SEXUAL HARASSMENT**

Sexual harassment is illegal, unacceptable and is prohibited. No employee or student of the school may sexually harass another. Any employee or student will be subject to disciplinary action including possible termination for employees; and suspension or expulsion for students for violation of this policy.

Definition- Any unwelcome sexual advance, solicitation of sexual activity by promise of rewards, coercion or threat of punishment, verbal sexist remarks, or physical sexual assaults constitutes sexual harassment. This conduct has the effect of unreasonably interfering with an individual's academic or work performance or of creating an intimidating, hostile, or offensive employment or education environment regardless of intent.

Responsibility- School administration, Indian Board of Education for the PILC members, employees and students are responsible for maintaining a working and learning environment free from sexual harassment. Careful scrutiny will be undertaken of all allegations of sexual harassment. False allegations that are malicious or ill-founded may constitute libel or slander. Copies of this policy will be available at all administrative offices.

Complaints- Any student who believes that he or she has been a subject of sexual harassment by another student, a school employee, administrative person, or Indian Board of Education for the



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PILC member should report this incident immediately to the principal. If the principal is the accused, the violation should be reported to the Superintendent. If the Superintendent is accused, the violation should be reported to the Chairman. All reported incidents will be thoroughly investigated and subject to disciplinary action. Confidentiality consistent with due process will be maintained.

If a student files a written complaint because of dissatisfaction with the handling of the complaint, he or she may utilize any applicable grievance procedure.

Prohibition against retaliation Policy JCAB is applicable.

### **JCAC BULLYING**

Bullying is unacceptable and shall not be tolerated and no employee or student of the school may bully another person. Bullying can be, but is not limited to: verbal, physical, gestures, look, intimidation or harassment. Students will treat students and other staff with mutual respect. Any employee or student in violation of JCAC will be subject to disciplinary action.

#### **Definition of Bullying**

A person is bullied when he or she is exposed, repeatedly and over time, to negative actions on the part of one or more other persons, and he or she has difficulty defending him or herself.

Another way of saying this:

Bullying is when someone repeatedly and on purpose says or does mean or hurtful things to another person who has a hard time defending him or herself.

#### **Bullying has three parts:**

1. Bullying is *intentional aggressive behavior* that involves unwanted, negative actions. It is deliberate, being hurtful on purpose. This includes hurtful words (written and spoken), actions, gestures, false rumors, exclusion, and other unkind acts.
2. Bullying is *repeated over time*, involving the same or several different persons.
3. Bullying is *between two people with a difference of power* – the person doing the bullying may be physically stronger, have more powerful social connections (such as popularity), or other power such as money, or racial or ethnic heritage.

#### **PILC adheres to four anti-bullying rules:**

1. We will not bully, disrespect or be hurtful to others.
2. We will help students who are bullied.
3. We will include students who are left out.
4. If we know that somebody is being bullied, we will tell an adult at school and an adult at home.

## **Bullying Intervention**

Any staff member observing or suspecting bullying toward another individual is required to report the issue to a department supervisor. Students, family, and concerned community members may also report suspected bullying. All reports will be investigated. Follow-up may include (but is not limited to) staff intervention, parent contact, and consequences. If an incident is determined to be an inappropriate reaction to normal conflict (disagreement between parties), conflict resolution may be utilized.

## **JCAD CYBER BULLYING**

Cyber bullying is all forms of harassment over the Internet or other forms of electronic communications, including cell phones. Students and staff are prohibited from using communication devices or School property to harass or stalk another. The School's computer network and the Internet, whether accessed at school or away from school, during or after school hours, may not be used for the purpose of cyber bullying. All forms of cyber bullying are viewed as a violation of this policy and the School's acceptable computer use policy and procedures.

Users are responsible for the appropriateness of the materials they transmit. Hate mail, harassment, discriminatory remarks, or other anti-social behaviors are expressly prohibited. Cyber bullying includes, but is not limited to the following misuses of technology: harassing, teasing, intimidating, threatening, or terrorizing another person by sending or posting inappropriate and hurtful e-mail messages, instant messages, text messages, social media, digital pictures or images, or web site postings, including blogs. It is also recognized that the author (poster or sender) of the inappropriate material is often disguised (logged on) as someone else.

Students and community members, who believe they have been victims of such misuses of technology, as described in this policy, should not erase the offending material from the systems. A copy of the material should be brought to the attention of a principal or teacher.

In situations in which cyber bullying originated from a non-school device, but brought to the attention of the school staff, any disciplinary action shall be based upon whether the conduct is determined to be severely disruptive of the educational process so that it markedly interrupts or severely impedes the day to day operations of the school. In addition, such conduct must also violate a school policy. Such conduct includes, but is not limited to, threats, or making threats off school grounds, to harm a member of the school staff or a student.

Malicious use of School's computer system to develop programs or to institute practices that harass other users to gain unauthorized access to any entity on the system and/or change the components of an entity on the network is prohibited.

Disciplinary action may include, but is not limited to, the loss of computer privileges, suspension, or termination for verified perpetrators of cyber bullying. In addition, any kind of threat or hate crime will be reported to law enforcement.

**JCADA                      CELL PHONES AND OTHER ELECTRONIC DEVICES**

Personal cell phones and other electronic devices may not be brought to school, and may only be used in the residential department during scheduled electronics use times.

**JCAE                      ACCEPTABLE USE OF TECHNOLOGY**

**I.      Introduction**

The Children's Internet Protection Act (CIPA), 47 U.S.C. §254(h)(5) require schools to implement certain measures and actions to ensure that students are restricted from accessing inappropriate materials online using school-owned computers. This Pierre Indian Learning Center's Acceptable Network and Internet Use Policy (hereinafter "AUP") is intended to set forth the specific obligations and responsibilities of all users, including students and staff, who access the PILC's Network, and to ensure such use complies with the CIPA requirements.

"Network" is defined as any and all Pierre Indian Learning Center owned computers, servers, hardware or software, the PILC's local area network, wireless access points, the Internet, Internet 2, the PILC server, email, Google Docs, other forms of direct electronic communications or other communications equipment provided by PILC regardless of the physical location of the user. This AUP applies even when PILC provided equipment (laptops, tablets, etc.) is used on or off premises of School property.

**II.     Acceptable Use**

The Network may be used only as a tool to support and advance the functions of the Pierre Indian Learning Center as well as its curriculum and educational programs. Access to the School's Network is a privilege and not a right. Users of the Network are responsible for their behavior and communications over the Network and access to Network services will be provided only to those staff and students who agree to act in a considerate and responsible manner and in accordance with the PILC's Internet Safety Policy and this AUP.

Students may use the Network only in support of educational activities consistent with the educational objectives of the Pierre Indian Learning Center. Faculty and staff may use the Network primarily in support of education and research consistent with the educational objectives of PILC. Faculty and staff may access the Network for limited personal use but not for any commercial or business use; however, such personal use may not violate any applicable rules and regulations or applicable administrative procedures or interfere with job performance. Use of the Network must be in compliance with applicable laws, including all copyright laws and all materials on the Network should be presumed to be copyrighted.

All members of the staff who wish to use the Network must sign this AUP whenever requested by PILC, to confirm that the staff person has read and understands this policy and agrees to abide by it. Each student must sign this AUP annually to confirm that the student has read and understands this policy and agrees to abide by it. Students who are under 18 must have their parents or guardians sign this AUP and submit it to the PILC.

### **III. Network Etiquette**

Users are expected to abide by generally accepted rules of network etiquette (netiquette). These include but are not limited to:

- A. Be polite. Do not send or encourage others to send messages that are abusive or otherwise fall in the definition of Prohibited Use in Section IV.
- B. Use appropriate language. Remember you are a representative of PILC on a non-private network. You may be alone on a computer but what you write can be viewed around the world. Do not swear, use vulgarities or any other inappropriate language.
- C. All communications and information accessible via the Network should be considered private property that you cannot appropriate for your own use without appropriate attribution and consent.

### **IV. Prohibited Use**

PILC reserves the absolute right to define prohibited use of the Network, adopt rules and regulations applicable to Network use, determine whether an activity constitutes a prohibited use of the Network, and determine the consequence of such inappropriate use. Prohibited use includes but is not limited to the following:

- 1) Violating any state or federal law or tribal ordinance, such as: Accessing or transmitting pornography of any kind, obscene depictions, harmful materials, materials that encourage others to violate the law, confidential information or copyrighted materials;
- 2) Criminal activities that can be punished under law;
- 3) Selling or purchasing illegal items or substances;
- 4) The unauthorized collection of email addresses ("harvesting") of e-mail addresses from the Global Address List and other PILC directories;
- 5) Obtaining and/or using anonymous email sites; spamming; spreading viruses;
- 6) Circumvention of the PILC's firewall to access blocked sites;
- 7) Disclosure of minors' personal information without proper authorization;
- 8) Students' disclosure of personal information such as the student's name, address, phone number, password or social security number, to other users when engaging in online activities including but not limited to chat rooms, email, social networking web sites
- 9) Causing harm to others or damage to their property, such as:
  1. Using profane, abusive, or impolite language; threatening, harassing, bullying or making damaging or false statements about others or accessing, transmitting, or downloading offensive, harassing, or disparaging materials;
  2. Deleting, copying, modifying, or forging other users' names, emails, files, or data; disguising one's identity, impersonating other users, or sending anonymous email;
  3. Damaging computer equipment, files, data or the network in any way, including intentionally accessing, transmitting or downloading computer viruses or other harmful files or programs, or disrupting any computer system performance;
  4. Using any PILC computer to pursue "hacking," internal or external to PILC, or attempting to access information protected by privacy laws; or

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5. Accessing, transmitting or downloading large files, including "chain letters" or any type of "pyramid schemes".
- 10) Engaging in uses that jeopardize access or lead to unauthorized access into others' accounts or other computer networks, such as:
  1. Using another's account password(s) or identifier(s);
  2. Interfering with other users' ability to access their account(s); or
  3. Disclosing your own or anyone's password to others or allowing them to use your or another's account(s).
- 11) Using the network or Internet for Commercial purposes:
  1. Using the Internet for personal financial gain;
  2. Using the Internet for personal advertising, promotion, or financial gain; or
  3. Conducting for-profit business activities and/or engaging in non-government related fundraising or public relations activities such as solicitation for religious purposes, lobbying for personal political purposes.

### **V. Disclaimer**

PILC makes no guarantees about the quality of the services provided and is not responsible for any claims, losses, damages, costs, or other obligations arising from use of the Network or accounts. Any additional charges a user accrues due to the use of the PILC's network are to be borne by the user. PILC also denies any responsibility for the accuracy or quality of the information obtained through user access. Any statement, accessible on the computer network or the Internet, is understood to be the author's individual point of view and not that of PILC, its affiliates, or employees.

## **JCC INTERVIEW POLICY**

When students are at school or involved in a school activity off school grounds, the school has an obligation to the students, the parents, as well as to the authorities, such as law enforcement and the Department of Social Services. This policy attempts to balance the rights of students and parents with the rights and responsibilities of law enforcement and the Child Protection Program as those entities investigate juvenile delinquency/criminal matters and matters of child abuse and neglect. It is therefore the policy of the School that:

- (1) Should a law enforcement officer wish to talk with a student under the age of 18 while the student is at school and interview the student for a reason other than investigating school related incidents or suspected child abuse or neglect, the School will not allow the law enforcement officer to question the student unless the school has first notified the student's parents and received permission from a parent for the student to talk with the law enforcement officer. The parents shall also have the right to be present should the parents grant permission to law enforcement officer to talk with the student.
- (2) Should the Child Protection Program or a law enforcement officer be investigating suspected child abuse or neglect and wish to talk with a student under the age of 18 while the student is at school, the request to talk with a student shall be made to the Superintendent or the Principal at the school for approval of the interview. SCAN protocols require investigation of suspected child abuse to be kept confidential and indicate it can be done without notification to parents. Therefore, the school will not

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notify parents of a request by the Child Protection Program or law enforcement to talk with a student in such instances.

### **JCDAA TOBACCO**

#### **Tobacco-Free Areas and Activities:**

With the exception of limited occasions for traditional cultural use of tobacco, or during the summer months or Winter Break when students are not on campus, Pierre Indian Learning Center is a tobacco-free environment. Use of tobacco products of any kind, including electronic vapor devices, are prohibited in all areas of school property including building and grounds, parking lots, school-owned vehicles and at school sponsored events. Tobacco companies and organizations and users of tobacco products of any kind, including electronic vapor devices, will not advertise, promote, feature, sell or give away tobacco products on school property.

#### **Compliance**

Enforcement of this policy is the shared responsibility of all Pierre Indian Learning Center personnel. All employees are authorized and encouraged to communicate this policy with courtesy, respect, and diplomacy, especially with regard to visitors.

Incidences of tobacco, including electronic vapor devices, by employees and students, are documented for supervisory follow-up and managed according to school policy. Trends in the use of tobacco incidences at the school are evaluated to develop cessation strategies and opportunities.

#### **Tobacco Cessation Opportunities**

Tobacco cessation information is available from the South Dakota Quit Line's toll-free number 1-866-737-8487, or by visiting: <http://retinktobacco.com/>; <http://sdquitline.com/>; <http://befreesd.com/>.

### **VIOLATIONS OF TOBACCO USE AND POSSESSION:**

Tobacco violations include, but are not limited to; those students who have in their possession, consumed/used, or are attempting to use or distribute tobacco products of any kind, including electronic vapor devices. The only exclusion is for cultural school approved ceremonies and activities.

### **JCDAC DRUG/ALCOHOL/CHEMICAL USE/POSSESSION**

Use and/or possession of alcohol, controlled substances, or mind-altering substances is prohibited on the PILC school grounds. Such use and/or possession is prohibited at all school activities and may result in suspension. If any state or local laws are broken, the appropriate law enforcement personnel will be notified. Any intoxicated student or any student under the influence of a controlled substance may be suspended from school. All academic work must be completed in each class for the days missed while suspended.

## **PILC Policy J: Students July, 2019**

### **JCDAE WEAPONS (Dangerous)**

The PILC prohibits the use or possession of a dangerous and/or deadly weapon on or in any school premises, vehicle or building that is owned, leased, or used for school functions or any activity. A dangerous weapon is defined as any knife or other device, instrument, material or substance, whether animate or inanimate which is calculated or designed to inflict death, serious bodily harm and/or threatening or intending to cause harm. Exceptions would be weapons under control of law enforcement personnel, starting guns while in use at athletic events, and other supervised school training/activity. The student/persons in violation of JCDAE will be suspended and afforded due process. Law enforcement will be notified. The Superintendent will determine disciplinary measures up to and including suspension and expulsion out of school up to one year.

### **JCDAF WEAPONS (Fire Arms)**

The use or possession of a firearm is prohibited, on or in any school premises, vehicle or building that is owned, leased, or used for school functions or any activity. Exceptions would be weapons under control of law enforcement personnel, starting guns while in use at athletic events, and other supervised school training/activity. Law enforcement will be notified and an emergency Indian Board of Education for the PILC meeting will be set up within five working days. Student will be given an out of school suspension until the Indian Board of Education meeting. If, after due process has been accorded, the student/person is found to have violated JCDAF and the Gun Free Schools Act of 1994, an expulsion for a period of not less than one year will be mandated.

### **JCDB PROHIBITION AGAINST RETALIATION**

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

### **JCDC STUDENT DRESS CODE**

Pierre Indian Learning Center school uniforms will be provided to every student enrolled at the school. Uniforms consist of jeans, and t-shirts with the school logo embroidered on them, school hoodies, and shorts in the summer. Students' personal clothing may be worn on weekends and days when school is not in session, however sagging pants, gang colors, or other gang-related accessories, such as bandanas, will not be permitted.

### **JCDD DISPLAYS OF AFFECTION**

Students will not engage in acts of affection to include but not limited to: hand-holding, hugging, kissing, body contact. Students must maintain a personal space of at least 12 inches.

**JCE COMPLAINTS**

Students are encouraged to talk to their Teacher, Principal or Counselor if they are having difficulties with students, staff, and other concerns at the school. Conflict is normal because people have different ways of looking at situations; different attitudes about things; different ways of resolving conflict; perhaps, different feelings about things that others have.

Students will conduct themselves in a manner that is consistent with the traditional values of generosity, fortitude, respect, courage, cherish, wisdom, and honesty.

Any student or parent/guardian who feels he/she has been discriminated against, believes her/his rights have been violated, or has any other complaint concerning affairs of the school, or administrative decisions, may report said concern in the following manner.

- A. Complaints and concerns of students and parent(s)/guardians(s) should be submitted to the Teacher in writing by the person (or by other persons acting in behalf of the person, in the case of a young child, or a person in physical or emotional pain or other reason they would be unable to write their own statement) within five working days of the incident.
- B. If the Teacher does not resolve the complaint/concern, the Students and Parents(s)/guardian(s) should provide all the information to the Principal in writing within five working days of the incident.
- C. Principal must complete all efforts to resolve the complaint within five (5) workings days.
  - 1. The Principal shall meet with the parties involved to discuss the issues of the complaint.
  - 2. The Principal shall seek a solution to the matter on an informal basis.
  - 3. The Principal shall keep a written record of all activities and findings in the complaint.
  - 4. The Principal shall make a written reply to the parent/guardian.
- D. If the Principal is unable to resolve the complaint to the satisfaction of the parties concerned, the complaint may be brought to the attention of the school Indian Board of Education for the PILC, in writing, within five working days.

**JCEC DEMONSTRATIONS AND STRIKES**

Any disruption or interference of the operations of the school through violence, vandalism, seizure of any area of school property, sit-ins, walk outs, or other methods of disruption is prohibited. (Ref: GAEAC)



**JD                      DISCIPLINE**

**STUDENT BEHAVIOR**

The PILC reserves the right to discipline any student when, in the judgment of the Superintendent, Principal, or Residential Director, the student knowingly and deliberately exhibits behavior that violates the rules of the school or the classroom. Students are to respect the rights and feelings of other students and staff members. Students will also respect the school building and property as well as the property of others. Students with a current Individual Education Plan (IEP) will be afforded a manifestation hearing prior to suspensions more than 10 days in a school year. Positive behavior interventions and consequences will be used to discipline or encourage students to modify their behaviors, according to the Student code of Conduct.

**Discipline Guidelines**

Students are expected to adhere to reasonable standards of behavior and conduct themselves in an acceptable manner.

The Pierre Indian Learning Center subscribes to an Applied Humanism Philosophy when dealing with people; this philosophy requires that staff adhere to care-giving beliefs that promote the development of positive behavior. Specific care-giving beliefs include the following:

**Ensuring Success**

We value students and acknowledge their successes

**Independent Decisions**

We respect student's rights to make their own decisions, and we allow them the dignity to experience the natural consequence of those decisions

**Teaching for Behavior Change**

If a student displays inappropriate behavior, we look for their skill deficit or misguided value system, and equip the student to make a better choice in the future.

There are certain care-giving beliefs that guide staff response to inappropriate behavior.

**Gentle Interventions**

When a student displays unacceptable behavior, staff do ONLY what is necessary to disrupt the behavior.

**Logical Consequences**

When a student displays unacceptable behavior, he or she loses privileges to the extent necessary to protect and restore others' rights.

**No Punishment**

Punishment is doing or saying things intended to make a child feel so bad, so guilty, or so humiliated, that he or she never again displays that behavior.

**Unacceptable Student Behavior**

Unacceptable student behavior is defined as any behavior that endangers the health, safety, property, or basic rights of another person.

- A. Deviation from acceptable behavior will result in logical consequences and intervention. The classroom teacher or residential staff will document classroom infractions which are a violation of any behavior boundary or limit of a student. The Residential Administrative Assistant, under the supervision of the Residential Director, shall be responsible for accurately recording and distributing reports to parents of incidents that have resulted in the application of disciplinary procedures with their child.
- B. Disciplinary action will be implemented according to the Student code of conduct and may include the following actions:
  - 1. Agreement, Positive Behavior plan, Behavior contract
  - 2. Conference, Warning or Reprimand
  - 3. Mentoring
  - 4. Remediation, Re-teaching expectations
  - 5. Referral for Services or Behavioral group
  - 6. Property confiscation
  - 7. Academic Penalty
  - 8. Schedule change
  - 9. Denial of school privilege
  - 10. Restitution or Service Penalty
  - 11. Short term Detention: Noon/Before school/After School
  - 12. In-school Suspension
  - 13. Short term out-of-school suspension
  - 14. Recommendation to the Admissions Committee for the PILC for long term suspension/expulsion

**JDA                    CORPORAL PUNISHMENT**

The use of corporal punishment is prohibited: corporal punishment being defined as inflicting physical pain or injury upon a child in order to punish him or her for misconduct.

**JDB                    REASONABLE FORCE AND RESTRAINT**

PILC staff have been certified in Crisis Prevention and Intervention, and have been trained to handle situations that have escalated beyond normal circumstances. Staff are trained to work with students using safe, proactive strategies of intervention.

School personnel may use reasonable force if necessary to exercise supervisory control over a student: 1) If the force is rendered necessary by the misconduct of the Student or by his or her refusal to obey the lawful command of the authorized agent; and 2) If the force used is reasonable in manner and moderate in degree.

Use of physical restraint by School personnel is permitted when a Student's behavior poses an immediate danger of physical harm to self or others in clearly unavoidable emergency circumstances. School personnel who have not received physical restraint training may restrain students, but must summon trained School personnel as soon as possible.

**JDD                    SUSPENSION**

The school Superintendent reserves the right to immediately suspend in-school or out of school or a combination of both any student when, in their judgment, the student knowingly and deliberately exhibits behavior that endangers the health and safety of self, other students or staff, or behavior that causes damage to school property.

**JDE                    EXPULSION**

Pierre Indian Learning Center may reject a student for enrollment at PILC if the student is under suspension or expulsion from another school. Upon receiving a request for a student's permanent school records from the receiving district, the sending school shall provide the receiving district with written notice of any suspension or expulsion.

**JE                      GUIDANCE PROGRAM**

Counseling services shall be available for every student. The counseling curriculum is approved by the Principal and Residential Director, and implemented and directed by the Counselor in conjunction with the teachers. Counseling personnel will use varied delivery systems consisting of small group, individual counseling, structured training sessions, and other processes. Guidance personnel will assist in developing, gathering and disseminating effective learning activities to instructional personnel as resource material for incorporating learning activities designed to enhance the total development of students.

**JGCB            HEAD LICE**

Head checks will be done weekly in the Residential Department. If head lice are detected, treatment will be initiated immediately. Head rechecks for affected students will be done the following morning.

**JGCC            INFECTIOUS DISEASE PROTOCOLS**

**INFECTIOUS DISEASE GUIDELINES AND PROCEDURES**

Pierre Indian Learning Center has developed these guidelines and procedures with the understanding that:

- All Staff have a role in prevention of communicable disease.
- The school nurse is responsible for education, identification, reporting, notification and follow-up.
- These Guidelines and Procedures are not exhaustive, but relative to that most often seen in the school setting.
- Environmental safeguards through the residential and academic departments are essential.
- Emphasis is on prevention efforts and school attendance and is based on current healthcare standards of practice as well as recommendations and laws set forth by the South Dakota Department of Health.

**INFECTIOUS DISEASES**

Infectious diseases are illnesses caused by a few specific organisms such as viruses, bacteria, fungi or parasites. These infectious diseases which can be spread from person to person are referred to as contagious or communicable diseases.

In a school setting infectious disease control measures include, but are not limited to:

- Prevention of the spread of infection
- Immunization requirements
- The temporary exclusion of students and staff who are ill and may be incubating a communicable disease
- Preparing a response to outbreaks and emergencies of all types
- The reporting of some illnesses to the South Dakota Department of Health.

For our purposes infectious diseases are divided into the following 6 categories.

1. Vaccine-Preventable Diseases
2. Diseases Spread Through the Intestinal Tract
3. Diseases Spread Through the Respiratory Tract
4. Diseases Spread Through Direct Contact
5. Diseases Spread Through Blood Contact
6. Zoonotic Diseases (Those Spread from Animals to People)

## **INFECTION PREVENTION AND CONTROL IN THE SCHOOL SETTING**

The spread of communicable disease can be controlled by the use of good infection control practices including: age-appropriate immunization requirements for school entry; utilization and education on proper hand hygiene, respiratory hygiene/cough etiquette and standard precautions; utilization of personal protective equipment as needed and a custodial protocol for cleaning and disinfecting.

Some diseases require more specific prevention measures and are located in the individual disease sections that follow.

## **HAND HYGIENE**

Proper hand hygiene is the single most effective way to prevent the spread of most infections. Several studies have indicated an association between hand washing (and the use of alcohol-based hand sanitizers) and a reduction in school absenteeism due to infectious illnesses.

Staff and students should practice hand hygiene:

- before eating or handling food
- after toileting
- after contact with blood or body fluids, non-intact skin, or nasal and respiratory secretions

To properly wash and clean hands, the following procedures should be followed:

- Wash hands with soap and water when they are visible soiled (alcohol-based hand sanitizers can be used to sanitize your hands when they are **not visibly soiled**).
- Wet hands first with warm water
- Apply soap and rub hands together vigorously for at least 20 seconds
- Rinse hands with warm water
- Dry hands thoroughly with paper towels
- Use a paper towel to turn off the faucet

## **STANDARD PRECAUTIONS**

Standard precautions need to be followed for all contact with blood, secretions, excretions, other body fluids, non-intact skin and mucous membranes. These precautions **must** be used at all times, regardless of a person's infection status or diagnosis.

Standard precautions include:

- Follow hand hygiene guidelines (see above).
- Wear gloves (clean, nonsterile) when touching blood, body fluids, non-intact skin or other contaminated items. Always practice hand hygiene upon the removal of gloves. Gloves are not a substitute for good hand hygiene.
- Gowns, masks, and eye protection should be worn during procedures and activities that are likely to generate splashes or a spray of blood or body fluids. Appropriate equipment must be readily available to staff members who are responsible for the clean up of bodily spills.

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- Disinfect surfaces and equipment contaminated with blood or body fluids using a 1:10 ratio of bleach to water that needs to remain on the contamination for 30 seconds. EPA-approved disinfectants can be used according to manufacturers' recommendations.
- Dispose of all sharps in appropriate puncture-proof containers, this would include any cutting tools that may have caused injury during use. (scissors, exacto, etc.)
- Dispose of infectious waste (anything contaminated with blood or body fluids) in a leak-proof sealable bag.

### **RESPIRATORY HYGIENE/COUGH ETIQUETTE**

Posters and signs to remind students and staff about cough etiquette and hand hygiene will be displayed in bathrooms, cafeteria, classrooms, hallways, etc.

Education of students and staff on appropriate cough etiquette includes:

- Cough or sneeze into elbow crease if no tissue is available.
- Cover the mouth and nose with a tissue when coughing or sneezing and immediately disposing of tissue into wastebasket.
- Practice hand hygiene often.

### **VACCINE-PREVENTABLE DISEASES**

#### **Immunizations and Requirements**

Vaccine-preventable diseases include chickenpox (varicella), diphtheria, Haemophilus influenzae type b (Hib), hepatitis A, hepatitis B, invasive pneumococcal disease, pertussis, polio, measles, mumps, rubella and tetanus.

South Dakota law (SDCL 13-28-7.1) requires students entering school or early childhood programs to present certification that they have been adequately immunized, according to the recommendations of the Department of Health. The law applies to all children entering a South Dakota school for the first time, including students who transfer from out of state. It is the responsibility of the school nurse to obtain the most current version of the childhood immunization schedule and requirements for school entry.

South Dakota Department of Health in accordance with state law and regulations, provides for exclusion of students from school if immunizations are not up to date, but exemptions are permitted at school entry for medical and religious reasons. The only exception for exclusion of unimmunized or partially immunized children without medical or religious exemptions is for homeless children: the federal McKinney-Vento Homeless Assistance Act of 2001 stipulates that homeless children cannot be denied entry to school for not possessing immunization records.

### **REPORTABLE INFECTIOUS DISEASES**

#### **Category I: Report immediately upon suspicion of disease**

- diphtheria
- pertussis
- polio
- measles
- rubella
- others, as listed at <http://doh.sd.gov/Disease/report.aspx>

**Category II: Report within 3 days**

- chickenpox (varicella)
- Haemophilus influenzae type b (Hib)
- hepatitis A
- hepatitis B
- mumps
- others, as listed at <http://doh.sd.gov/Disease/report.aspx>

Category I diseases are reportable immediately by telephone on the day of recognition or strong suspicion of disease. South Dakota Department of Health Office of Disease Prevention's telephone number is 1-800-592-1861 or 1-800-592-1804.

Category II diseases are reportable within 3 days of recognition or strong suspicion of disease through a secure reporting website: <https://www.state.sd.us/doh/diseasereport>

**STANDARD MEASURES**

The following measures will be taken in the event of the occurrence of any of the vaccine-preventable diseases listed above. Exceptions and additional measures will be noted in sections discussing each disease. The school nurse will notify the South Dakota Department of Health's Office of Disease Prevention and under their direction may:

- Exclude infected individuals during their infectious period.
- Collaborate with South Dakota Department of Health Public Health Nurses when required to identify who has been exposed and determine the "zones of exposure" for the disease.
- Identify all susceptibles among students and staff
- Identify high-risk, exposed susceptibles and refer them to their health care providers.
- Notify students, staff, parents/guardians, and others as deemed necessary

**SCHOOL ATTENDANCE GUIDELINES**

**Varicella/Vaccine Modified Varicella Syndrome:** Exclude until rash or lesions have crusted over.

**Shingles (Herpes zoster):** Generally no exclusion if lesions can be covered. If lesions cannot be covered exclude until rash or lesions have crusted over.

**Diphtheria:** Follow recommendations from South Dakota Department of Health, Office of Disease Prevention. Generally excluded until two cultures from the nose, the throat or skin sores are negative for the bacteria.

**Haemophilus Influenzae Type B Illness (Hib Disease):** Exclude until after 24 hours of antibiotic treatment.

**Measles:** Exclude for 4 days after appearance of rash.

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- Measles is one of the few diseases that can be prevented through prompt immunization after exposure. If a case is reported or suspected, all susceptible students and staff who are without contraindication to vaccine should be immunized within 72 hours of exposure.

**Mumps:** Exclude for 5 days from the onset of parotid gland swelling.

**Pertussis (Whooping Cough):** Exclude until 5 days of appropriate antibiotic therapy has been completed.

**Polio:** Follow recommendations from South Dakota Department of Health, Office of Disease Prevention.

**Rubella:** Exclude for 7 days after the appearance of rash (counting the day of rash onset as day zero).

### **DISEASES SPREAD THROUGH THE INTESTINAL TRACT**

Students and staff that have intestinal diseases do not always feel sick or have diarrhea. Because of this an ongoing prevention program is the best method for prevention of this type of disease. The school nurse should, through education, stress the importance of hand hygiene after toileting and before preparing or eating food.

#### **Prevention Guidelines for Infectious Diarrhea:**

- Strictly enforce all hand washing, bathroom, and cleanliness procedures.
- Carefully monitor field trips to farms, cider mills, and petting zoos. Students should not be allowed to drink raw or unpasteurized milk or apple cider, and they should wash their hands after contact with animals. If hand washing facilities will not be available, provide students with waterless, alcohol-based hand sanitizers.
- Be careful about choosing pets for the classroom. Reptiles such as snakes, iguanas, and turtles can shed salmonella and are poor choices as classroom pets.
- Enforce environmental cleaning and sanitation
- Instruct students and staff not to share food, drink, or eating/drinking utensils.
- Sharing of water bottles by sports teams should be particularly discouraged.

**Diarrheal Diseases:** Exclude while symptomatic only if person is unable to practice independent hygiene.

**Hepatitis A virus infection:** Students and staff with acute hepatitis A will be excluded from school for 1 week after onset of the illness or jaundice (if symptoms are mild).

**Giardia:** See Diarrheal Disease guidelines above.

**Norovirus:** See Diarrheal Disease guidelines above.

- Since norovirus is very easily transmitted person-to-person, staff and students should be reminded not to share food, drink, or eating utensils during an outbreak. It is essential to strictly follow the precautionary measures; monitor and enforce hand washing and ensure that hand washing facilities are properly supplied.



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When norovirus outbreaks are identified, thorough environmental cleaning is essential, especially where vomiting has occurred.

### **DISEASES SPREAD THROUGH THE RESPIRATORY TRACT**

Respiratory tract diseases are spread through microscopic infectious droplets which have generated in or settled on the mucous membranes of the nose, mouth, throat or eye. These droplets are spread by an infected person during coughing, sneezing, talking or nose blowing.

Respiratory tract diseases may be mild (viral colds and strep throat) or life-threatening (bacterial meningitis). Some of these diseases are more common in children; others, like a viral cold, affect all ages equally.

#### **Prevention Guidelines:**

- Proper hand washing is the number one defense against the spread of all respiratory tract diseases. Hands should be washed with soap and warm running water or an alcohol-based hand sanitizer.
- Encourage staff and students to wash their hands after wiping or blowing Noses; after contact with nose, throat, or eye secretions; and before preparing or eating food.
- Dispose of towels or tissues contaminated with nose, throat, or eye fluids in a trash can with a plastic liner.
- Teach students and staff to sneeze and cough into a tissue or their elbow and if they sneeze or cough into their hand or a tissue they must properly dispose of the tissue and wash their hands.
- Discourage the sharing of food and/or beverages, including water bottles.

**Colds and Influenza:** The school nurse, through clinical assessment, will determine when a student or staff member should go home. Fever guidelines are 100 degrees Fahrenheit. Sick students and staff should stay home from school until they have been without fever for 24 hours, to help prevent the spread of the illness to others.

**Strep Throat and Streptococcal Skin Infections:** Exclude until after 24 hours of antibiotic treatment.

**Meningococcal disease (Neisseria Meningitis):** Exclude until after 24 hours of antibiotic treatment.

**Tuberculosis:** Exclude until physician and the South Dakota Department of Health determine the person is no longer infectious.

#### **What School Administrators, Staff and Parents/Guardians should know:**

- Infants and young children under the age of 10 with TB lung disease are usually *not* contagious.

### **DISEASES SPREAD THROUGH DIRECT CONTACT**

Diseases spread through direct contact include impetigo, ring worm, conjunctivitis, scabies, pediculosis, and herpes simplex infection and are caused by superficial bacterial or viral infections or parasitic infections. These diseases are common and are generally not serious.

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They are spread by direct contact with infectious secretions, infected skin areas, or contaminated objects. Because students are constantly touching their surroundings and the people around them, these infections are easily spread among students and staff.

### **Prevention Guidelines:**

- Follow hand hygiene guidelines.
- Encourage staff and students to wash their hands after contact with any possibly infectious secretions.
- Keep alcohol-based hand sanitizers and tissues in classrooms and encourage their use.
- Discourage the sharing of food and/or beverages, including water bottles.
- Wash frequently used surfaces such as; tables and counters daily.
- Do not permit students to share personal items such as; combs, brushes, hats or clothing.
- Wash and cover sores, cuts, and scrapes promptly, and keep infected eyes wiped dry.
- Report rashes, sores, runny eyes and severe itching to a students parents/guardians so they may contact their health care provider for diagnosis and appropriate treatment.

**Ring Worm:** No need for exclusion of students or staff that day if the affected area can be covered. The School Nurse will notify parent/guardian and student may return to school as soon as treatment is started.

**Conjunctivitis (Pinkeye):** Conjunctivitis is not an emergency, so students and staff who are identified as having conjunctivitis at school do not need to be sent home from school that day. The School Nurse will notify parent/guardian and student may return to school as soon as treatment is started.

**Scabies:** Scabies is not considered an emergency so generally there is no exclusion. The School Nurse will notify parent/guardian and the student may return to school once treatment is started.

**Herpes Simplex Infection:** Exclusion of students and staff with cold sores is not indicated.

**Pediculosis (Head Lice):** Students need not be sent home early from school because of head lice. The School Nurse will notify parents/guardians of affected student to inform them that their child must be properly treated and may return to school as soon as they are treated.

**MRSA (Methicillin-resistant Staphylococcus Aureus):** Exclude only if confirmed MRSA is present from a wound in which drainage is occurring and cannot be covered and contained.

### **DISEASES SPREAD THROUGH BLOOD CONTACT**

Bloodborne infections such as hepatitis B (HBV), hepatitis C (HCV), and Human Immunodeficiency Virus (HIV) are serious illnesses that are spread through direct contact with blood and body fluids. Because intimate contact is required for these diseases to spread, the risk of transmission in the school setting is negligible. Available evidence also indicates that the risk of transmission of these diseases is low during contact sports.

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Recommendations issued by the American Academy of Pediatrics (AAP) in 1999 for the prevention of HIV and other bloodborne pathogens in the athletic setting include the following:

- Athletes infected with HIV, HBV or HCV should be allowed to participate in all sports and do not need to disclose their infection status.
- Coaches and athletes should be educated on the use of standard precautions and specific ways to prevent direct contact with blood or body fluids.
- Athletes must cover existing cuts, wounds or other areas of broken skin with dressing before and during participation.
- Disposable gloves should be worn to avoid contact with blood and body fluids, as well as equipment contaminated with these fluids. If gloves are not available the wound should be wrapped with a towel until a location is reached where gloves can be donned for treatment.
- Hands should be washed with soap and water or alcohol-based sanitizer immediately after removing gloves.
- Athletes with active bleeding should be removed from competition until bleeding has stopped and the wound has been covered with dressing.
- Equipment and inanimate surfaces contaminated with blood or body fluids should be disinfected with a 1:10 dilution of bleach for 30 seconds, or with any EPA-approved disinfectant.
- Mouthpieces or resuscitator bags should be available for use whenever resuscitation is carried out.

**HIV, Hepatitis B, Hepatitis C or other blood borne diseases:** Generally no exclusion; consideration may exist if there is a potential for blood borne exposure.

**Additional information on HIV:** No cases of HIV transmission have ever been confirmed from saliva, sweat, or tears. HIV is also *not* transmitted by:

- Casual contact such as kissing or hugging
- Insect bites
- Food handled, prepared or served by a person with HIV/AIDS
- Toilets, telephones, or clothes
- Shared eating utensils or drinking glasses
- Physical proximity to people with HIV/AIDS, in schools or other places
- Feces or urine
- Blood donation
- Swimming pools and hot tubs
- Shared musical instruments

The Indian Board of Education for the PILC recognizes the importance of protecting the health, safety and welfare of students, employees, and other community members from the spread of Acquired Immune Deficiency Syndrome (AIDS) or any other communicable disease, including instruction which is intended to impress upon the minds of students the importance of sexual abstinence. The following policy statement will be reviewed and revised regularly as necessary to reflect current medical research and legal opinion:

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### **1. STUDENTS:**

**Confidentiality:** As with any other medical information, the diagnosis of HIV infection and AIDS is confidential, and students are not obligated to disclose it. Since individuals with AIDS or HIV infection typically pose no public health threat their medical information is protected. Routine AIDS screening of children is not recommended. Screening should not be a requirement for school entry.

### **2. EMPLOYEES:**

Employees who have been diagnosed as having the AIDS virus should be allowed to continue working as long as they are able to maintain acceptable work performance and do not pose a safety or health threat to children or other employees. The school Superintendent, in consultation with the employee, employee's physician, and health care professionals, will determine on a case-by-case basis whether or not the employee should remain in his/her current assignment. The employee's medical documentation and other information related to their condition will remain confidential in compliance with policy and privacy act regulations. Employees with ADIS or related viruses shall be entitled to the same benefits as other employees. Screening for AIDS or AIDS associated viruses will not be a requirement for employment. AIDS and other communicable disease information will be provided to all employees on an on-going basis.

### **3. DUE PROCESS:**

Whereas a student or employee is infected with AIDS or ARC, or any other communicable disease, or where the Indian Board of Education for the PILC has reasonable cause to believe that such is the case, a due process hearing shall be held if requested by the student or the employee.

### **4. EDUCATION:**

Pierre Indian Learning Center shall provide educational programs to students and employees on AIDS or other communicable diseases, how they're spread their effects, and updated information regarding prevention and control. Prevention will be the focus of the education approach regarding all communicable diseases.

## **DISEASES SPREAD FROM ANIMALS TO PEOPLE (ZOO NOTIC DISEASES)**

Diseases spread from animals to people are called zoonotic diseases. Some foodborne and waterborne diseases that may be traced to disease in animals are salmonellosis, campylobacteriosis, and giardiasis. For guidelines on these diseases see the section on *DISEASES SPREAD THROUGH THE INTESTINAL TRACT*.

**Animals in the classroom:** Animals can be effective teaching aids in the classroom. However, if you are going to have animals in the classroom certain safeguards should be in place. Animals may carry parasites, bacteria and other organisms which can be transmitted to people by direct contact with the animal or its feces, through insects that bite or live on the animal or from organisms that live in the environment where an animal lives. In order to prevent the

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transmission of some of these zootonic diseases students should receive very clear instructions on how to wash their hands thoroughly after handling the animal, their cage or surfaces the animal may have come in contact with.

**Tickborne Diseases:** There is no need to exclude students or staff bitten by a tick, diagnosed with tickborne illness or exposed to an individual diagnosed with tickborne illness.

**Prevention Guidelines:** When outdoors, on field trips or in areas that may harbor ticks, students and staff should:

- Stick to main pathways and the center of trails when hiking
- Wear long-sleeved, light colored shirts and long pants tucked into socks
- Use repellants when available
- When returning indoors, students should be told to:
  - Check for ticks immediately
  - Wash repellent-treated areas with soap and water
- If an attached tick is found:
  - Students or staff should notify the School Nurse immediately

The determination whether an infected student should be excluded from the classroom or school activities shall be made on a case-by-case basis under the direction of the Principal or his/her designee. In situations where the decision requires additional knowledge and expertise, the Principal will refer the case to a team for assistance in determining the proper course of action.

The team may be composed of:

1. Representation from the State Health Department and/or an individual with expertise.
2. The student's physician.
3. The student's parents or guardian(s).
4. The Principal.
5. Health Services Director.
6. Primary teacher(s) and other appropriate school personnel.

The team shall consider the following in their determination:

1. The behavior, development level and medical condition of the student.
2. The expected type(s) of interaction with others in the school setting.
3. The degree to which the pathogen is transmittable to others based on current knowledge.
4. The impact on both the infected student and others in the setting.
5. The South Dakota Department of Health's policies and guidelines.

The team may officially request assistance from the State Department of Health.

If an infected student is restricted from attending classes, the school will provide the student with an appropriate educational program. If that requires personal contact between the student and school employees, only trained volunteer employees shall be utilized.

Public information will not be revealed about the student who may be infected. If the student is permitted to remain in the school setting, the following procedure will be followed by the

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principal; Information will be provided by the principal to school employees who have regular contact with the student, as to the student's medical condition and other factors needed for consideration in carrying out job responsibilities.

School personnel shall keep this information in strict confidence. Only those individuals who are necessary to assure the proper care of the infected child and to detect situations in which the potential for transmission may increase will be informed of the child's condition.

Staff members assigned to work with students suspected of being infected with a communicable disease, or those having a confirmed infection, will be given instruction in the appropriate handling of body fluids. Recommended personal hygiene measures will be observed and practiced in order to create and maintain a healthy environment.

Staff members who have a specific concern about a student's health may request a team determination for school attendance or activity participation. All requests shall be submitted to the Superintendent.

Health guidelines for school attendance/work performance are established and interpreted within the context of the situation. The guidelines are not inclusive but are available to be used as a resource.

**\*\* If student has a temperature of 100 or over or is vomiting the student will be sent to the Health Services Office to be evaluated and placed in the infirmary.**

ALL communicable and chronic diseases should be reported to a department supervisor and Health Services.

### **JGCD HEALTH SERVICES**

Professionals from a variety of community agencies will conduct periodic health screenings to all students (i.e., vision, hearing, dental, etc.).

Students will not take medication, whether prescription or other drugs, including Tylenol/ibuprofen, while at school unless such medicine is given to them under direction of the School Nurse and administered by a Medication Certified Staff person. All medications are logged on the Medication Administration Record Sheet (MARS.)

All medications must be checked in with the school nurse and must be in the original labeled container they came in. They will be locked in the medical cabinet in the Nurse Office.

### **JGF SAFETY/SUPERVISION**

The safety of students will be secured by the school through close supervision of students in all school buildings, school grounds, and off-site activities, through attention to the following:

1. Maintaining a safe school environment (the physical condition of all buildings and grounds will be inspected);

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2. Observation of safe practices on the part of school personnel and students, particularly in those areas of instructions or extra-curricular activities offering special hazards;
3. Offering safety education to students related to subjects such as laboratory courses in science, other courses, and health and physical education;
4. Providing the first-aid care for children in case of accident or sudden illness;

All school personnel will be responsible for supervision and safety of all students through close supervision in all school buildings, school grounds, and off-site activities, through attention to the following:

1. Maintaining a safe school environment (the physical condition of all buildings and grounds will be inspected);
2. Observation of safe practices on the part of school personnel and students, particularly in those areas of instructions or extra-curricular activities offering special hazards;
3. Offering safety education to students related to subjects such as laboratory courses in science, other courses, and health and physical education;
4. Providing the first-aid care for children in case of accident or sudden illness;

The Superintendent and the Crisis Response Team shall develop and review safety policies, procedures and emergency preparedness plan on an annual basis. All safety drills will be scheduled monthly.

### **JGFF AUTOMOBILE USE**

Driving on school roads and parking on school property is a courtesy offered by the Indian Board of Education for the PILC. The school will not assume any responsibility for damage to vehicles or for theft, or accidents on school premises.

### **JGFG MEDICAL EMERGENCIES AND ACCIDENTS**

Medical emergencies and accidents can occur at any time and may involve a student or employee. Some emergencies may only require first aid care, while others may require immediate medical attention. Medical emergencies involving any student or employee must be reported to the Superintendent, Principal, Residential Director, or Health Services Director. These individuals will be charge with sharing the report as necessary and with contacting parents/guardians with immediacy when an emergency is significant.

Procedures:

- **Dial 911** or direct someone to do so.
  - Provide the following information:
    - Building address
    - School or site name
    - Exact location within the building
    - Your name and phone number

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- Nature of emergency
  - **Do not hang up until advised to do so by dispatcher.**
- Notify the Superintendent, Principal, Residential Director or School Nurse that an individual has been injured and an ambulance has been called. The individual contacted will be responsible to notify the other administrators.
- Ask someone to dispatch a first aid/CPR trained employee to the victim.
- Stay calm. Keep victim warm with a coat or blanket.
- Do not move victim unless there is danger of further injury.
- Do not give victim anything to eat or drink.
- Provide an incident report to the Principal before the end of the day.
- Accidents to students shall be reported to the parent/guardian as soon as possible.

## JGFH VISITATIONS

Visitors are welcome at Pierre Indian Learning Center! Parents are an important part of a child's education and learning (Ref: GBDB) and are welcome to visit their child's classroom to observe instruction and participate in class activities. Student visitors to classrooms are allowed when accompanied by a parent. To help maintain a continuous and effective learning environment, please follow these guidelines to schedule and visit your child's classroom:

- Parents are welcome to visit their child's classroom or participate in class activities at any time.
- Please contact your child's teacher (or academic office at 605-224-8661, extension 132) at least 24 hours in advance if you would like to set up a specific time to conference about concerns. The office staff will notify the teacher of the time and date of arranged visit.
- The classroom teachers encourage guest presenters. Please call the principal or the classroom teacher to make arrangements if you are interested in special areas of instruction.
- When you arrive at school, please stop in the Administration Office.
- Office personnel will call to the classroom to announce your arrival. You may be escorted to the classroom if you need directions.
- While visiting the classroom, parents are asked to quietly observe during instruction. Parents are welcome to interact with their child during student engagement activities. There may be opportunities for parents to provide assistance to the teacher or students, if desired.
- For the safety and privacy of all our students, please take photographs of your children only. PILC staff can take class pictures of activities and ensure permissions before sharing with others or newspaper.
- During your visit, the teacher will continue to provide instruction to the students. Any questions should be addressed to the teacher at a later time. You may leave a note or email the teacher with your comments, questions and contact information.
- If you would like to meet with your child's teacher, please contact the teacher with 24 hour advance notice to make an appointment.



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- Parents are welcome to join their child for lunch at any time. PILC will pay for parent meals once per week.

### **JGFI            PREPAREDNESS PLAN**

The preparedness plan outlines the procedures in the case of a disaster/drill. The School Emergencies Team will maintain and update the plan on an annual basis.

### **JGFJ            COMMUNICATION OF A TERRORISTIC THREAT OR HOAX**

According to the South Dakota law SDCL 22-14A through 22-14A-27 enacted by the 2002 Legislature, the communication of a terroristic threat or hoax is a criminal offense and can carry felony penalties of \$10,000 and 10 years in prison. Actions that were previously considered pranks or vandalism may now rise to criminal activity in some circumstances. The activity can be verbal, written or physical in nature. (For example, a student who etches terroristic threats on a bathroom wall, calls the school threatening violence or uses a hoax substance to make people believe it is dangerous chemical can now face serious criminal penalties.) The Indian Board of Education for the PILC and the Superintendent will ensure that all students are informed of this law and the repercussions they could face if they engage in such criminal activity.

### **JGH            FOOD SERVICE**

Non-priced breakfast and lunch is provided to children.

### **JGI            CHILD ABUSE**

Any school employee that suspects a child has been abused or neglected is required by law to report their suspicions. The school employee will make the report with the Principal (or acting administrator), and residential employees will make their report to the Residential Director. The protocols for alleged child abuse or neglect are to be followed.

### **JGJ            FAMILY SEPARATION/DIVORCE POLICY**

The Pierre Indian Learning Center shall maintain strict neutrality between parents who are involved in an action involving the family (separation/divorce proceeding/divorced) as it is the intent of the School to promote the best interests of each student enrolled in its schools in partnership with both parents, unless otherwise directed by Court Order. It is the responsibility of the parent wishing to restrict a parental right to notify the School of any Court Order affecting student contact/visitation and/or student records by submitting a certified copy of the Court Order to the Principal.

### **JH            ACTIVITIES**

The Pierre Indian Learning Center wants each student to show appropriate behavior when representing the school in an extracurricular activity.

If the student shows poor sportsmanship behavior or does anything to jeopardize the school's

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reputation, the following will occur:

- 1<sup>st</sup> Violation—The student will be suspended from one game.
- 2<sup>nd</sup> Violation—The student will be dismissed from the activity for the rest of the season and she/he will not be eligible for any awards for that activity.

### **DRUGS**

Drugs are not allowed on campus, and are also illegal. Anyone caught using drugs or having them in their possession will be dismissed from that activity for the rest of the season. No further activities will be allowed until the student completes a drug awareness program.

### **BREAKING THE LAW**

Any student that commits a crime or breaks the law in any way will be dismissed from that activity for the rest of the season.

### **TOBACCO USE/ALCOHOL USE**

- 1<sup>st</sup> Violation—One game suspension
- 2<sup>nd</sup> Violation—Student must complete tobacco/alcohol awareness program to be reinstated
- 3<sup>rd</sup> Violation—Student is done for the season.

### **AWOL/LWOP**

- 1<sup>st</sup> Violation—The student will be suspended from one game/event.
- 2<sup>nd</sup> Violation—The student will be dismissed from the activity for the rest of the season and she/he will not be eligible for any awards for that activity/event.

### **BEHAVIOR MODIFICATION ROOM**

- Students in special status must go to practice and they can participate in competitions and events.
- If the Residential Director/Wing Managers are having a problem with a student and they feel the student should not participate, then the residential director/dorm manager needs to set up a meeting with the athletic director and the coach before the competition or event.
- Only coaches and the athletic director may suspend students from a competition or event for behavior.
- Once a student has been suspended, under no circumstances will that student participate in competitions or events until her/his time in special status is complete.

Recognizing that special circumstances may affect eligibility, the Superintendent and/or Athletic Director may modify these stipulations.

## **JHC ORGANIZATIONS**

- A. Students shall be free to organize with the school for political, social, service, athletic, and other proper and lawful purpose. No student will be discriminated against because of membership of any such organization.

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- B. Student organizations require staff sponsorship.
- C. The use of school facilities and others may be made available through the normal channels.
- D. Any official publication of the school will enjoy freedom of expression. The assessment of dues for such clubs is prohibited.

### **JHD SOCIAL EVENTS**

Providing students with appropriate social activities is beneficial to their overall development. These events may be on a school-wide basis or limited to a portion of the students in a school. All events will be under the authorization of a Department Supervisor. Supervision is the responsibility of the adult in charge of the organization sponsoring the event. Students sponsoring such activities will be responsible for cleaning any school facilities utilized for their particular activity, advertising, acquiring necessary law enforcement for monitoring, or other organizational and planning activities.

### **JI STUDENT VOLUNTEERS**

The Indian Board of Education for the PILC encourages the use of student volunteers in the educational program and in useful community services. All sites will be approved to insure student safety. However, student volunteers should be able to carry the additional load without interfering with their academic achievement.

### **JFGAF STAFF-STUDENT RELATIONS**

Employees of the school shall regard each student as an individual, shall assist each student in their learning, and shall treat each student with courtesy and consideration.

Employees shall relate to students within guidelines established in the Code of Ethics portion of this policy manual (refer to GAF, GBU). Failure to adhere to policies regarding staff-student relations shall result in disciplinary action of the employee. Specific limitations in regard to staff-student relations shall include:

1. No employee shall without just cause restrain students from independent action in their pursuit of learning.
2. No employee shall without just cause deny student's access to varying points of view in the classroom.
3. No employee shall deliberately suppress or distort subject matter for which they bear responsibility.
4. Employees shall make reasonable effort to maintain discipline and order in the classroom and within the school system to protect the students from conditions harmful to learning, health, and safety.
5. Employees shall conduct professional business in a way that does not expose students to unnecessary humiliation or disparagement.
6. Employees shall accord just and equitable treatment to every student, regardless of race, color, creed, sex, sexual preference, age, marital status, handicapping situation, national origin, or ethnic background.
7. Employees shall be prohibited from exploiting a professional relationship with a student for private or personal gain or advantage.

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8. Employees shall keep in confidence information that has been obtained in the course of professional service, unless disclosure serves a professional purpose or is required by law.
9. Employees shall maintain professional relationships with students in a manner that is free of vindictiveness and recrimination.
10. Employees shall maintain professional relationships with students in a manner that promotes the self-esteem of the student.
11. Employees shall be prohibited from fraternizing with students in an unethical manner, inclusive of, but not limited to the following situations:
  - a. Having a romantic or intimate relationship with students.
  - b. Contributing to the delinquency of students.
  - c. Violations of any State or Federal Laws and ordinances.
  - d. Providing overnight or other lodging of students without parental or legal guardian permission or knowledge (parental permission also required if a school-sponsored activity).
  - e. Providing of distribution of or consumption of alcohol/drug substances with students.
  - f. Inappropriate interactions with staff and other students on social networking devices and services.
  - g. Other unethical conduct of the employee regarding this item as prescribed by community norms.

### **JGH DROP-OUTS**

A dropout student shall be defined as a student who has withdrawn from the school and has not enrolled in an appropriate grade level educational program in another institution.

### **JR STUDENT RECORDS**

The Pierre Indian Learning Center will keep a cumulative permanent record on every student that enrolls in school according to the BIE guidelines.

Guidelines for Collection and Release of All Records:

1. The Principal must approve all information.
2. If a student transfers to another school, a copy of the cumulative folder will be sent to the new school upon their request.
3. The permanent record will be kept permanently on file at the school.

In accordance with the Rights and Privacy Act, all parents/guardians may review their child's/children's school records at any time. Parents are requested to see the Principal for this information.

### **JS STUDENT FEES, FINES, AND CHARGES**

It is the school policy to provide a free education to students enrolling at the school. Materials and books will be supplied to students within budget limitations. Extra supplies or materials needed by students must be supplied by the student or parent. Student fines and charges will be assessed for all lost or destroyed books or materials.