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TIOGA PUBLIC SCHOOL PHILOSOPHY

We, the administration, Teachers and the Board of Education, believe it is the function of the Tioga Public School to provide the best education possible for all youth of our community. We believe that the education of all the youth is best accomplished when it is the common goal of the Board of Education, the administration, the teachers, the community, and the youth to be educated.

We believe the best preparation and education possible will provide an opportunity for our youth to:

- a. Grow in good citizenship and have an understanding of an appreciation for the democratic way of life.
- b. Develop and maintain sound bodies and healthy minds.
- c. Understand and use the fundamental processes of listening, reading, speaking, and writing in the various fields of learning.
- d. Develop an appreciation for and practice worthy home membership.
- e. Prepare himself/herself either for further study and education in college or in his/her chosen vocation.
- f. Learn to appreciate and use wisely his/her leisure time.
- g. Develop his/her own individual personality and establish a morally sound personal code of ethics.

We believe the school should serve the needs of the community locally, nationally, and internationally.

We believe that we can best accomplish these ends by:

- a. A faculty with a professional attitude and adequate preparation.
- b. A comprehensive curriculum which attempts to meet the needs of all students.
- c. Adequate physical facilities.
- d. Providing activities which develop special mental and social talents.

Each student will have the ability:

- to work in a cooperative/collaborative manner.
- to communicate effectively through a variety of methods.
- to use critical thinking processes, make decisions and solve problems.
- to gather, evaluate, and use information effectively in a variety of ways.
- to apply concepts, generalizations, processes and strategies considered important to specific content areas.
- to respect themselves and the rights of others.
- to be proficient in the use of technology.
- to become an informed, responsible citizen of the democratic process.
- to make informed career choices.
- to be a lifelong learner.

Accomplishing the curriculum:

To accomplish the student expectations and goals, the faculty, administrators, and support staff will use appropriate instructional strategies. Included in these strategies are techniques and processes associated with:

- instructional change;
- cooperative learning;
- student readiness;
- classroom management and discipline;
- effective communication with students, administrators, student homes, school boards, and other personnel such as special needs services;
- technological resources;
- learning styles;
- sharing resources (i.e. books, teachers, in-service).

End of Tioga PSD #15 AAA.....Reviewed: January 2020

INTENT TO OBEY ND LAWS

The Board of Education declares its intention to subscribe to and to require strict adherence to all North Dakota laws pertaining to the operation of public schools in North Dakota.

End of Tioga PSD #15 AABA.....Reviewed 1/2020

ACCREDITATION

It is the intention of the Board that the Tioga School should carry the highest accreditation classification of the Department of Public Instruction and should maintain that classification as long as possible.

End of Tioga PSD#15 AABB.....Reviewed January 2017

TIOGA PUBLIC SCHOOL MISSION AND VISION STATEMENTS AND BELIEFS

TIOGA PUBLIC SCHOOL MISSION STATEMENT

Assure students a challenging and diversified curriculum in a safe and respectful environment.

TIOGA PUBLIC SCHOOL VISION STATEMENT

Create an exciting, enthusiastically culture and climate where students individually succeed in current and future endeavors.

TIOGA PUBLIC SCHOOL BELIEFS

Teamwork	Respect	*Choice Ready
Communication	Responsibility	Problem-Solving
Collaboration	Accountability	Life-long Learning
Critical Thinking	Citizenship	
Transfer of Knowledge	Innovation	*THS

End of Tioga PSD #15 AABC.....Reviewed January 2020

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

The Tioga Public School District #15 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's, parent's, guardian's, or employee's race, color, religion, sex, gender identity, national origin, ancestry, disability, age, or other status protected by law. The District also provides equal access to the Boy Scouts and other designated youth groups as required by federal law.

It is a violation of this policy for any district student, parent, guardian, employee, or third party to discriminate or harass against another district student or employee, based on any status protected by law, if the conduct occurred within the context of an education program or activity, or if the conduct had a continuing effect in the educational setting of a program or activity occurring on or off school district property. The District will not tolerate discrimination or harassment 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 individual affiliated with another who is protected by this policy and/or law; knowingly making a false discrimination and/or harassment report; and retaliation against individuals who report and/or participate in a discrimination and/or harassment investigation, including instances when a complaint is not substantiated.

The District shall promptly investigate any discrimination, harassment, or retaliation complaint and act on findings as appropriate, which may include disciplinary measures such as 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. The District will take steps to prevent recurrence of discrimination, harassment, or retaliation and remedy discriminatory effects on the complainant and others, if appropriate.

Definitions

- *Complainant* is the individual filing the complaint. If the complainant is not the victim of the alleged discrimination and/or harassment, the victim must be afforded the same rights as the complainant under this policy and regulation AAC-BR.
- *Disability* is defined in accordance with NDCC 14-02.4-02 (5).
- *Discrimination* means failure to treat an individual, equally due to a protected status. Protected status is defined in applicable state (NDCC 14-02.4-02 (6)) and federal laws.
- *Employee* is defined in accordance with NDCC 14-02.4-02 (7).
- *Harassment* is a specific type of discrimination based on a protected status. It occurs under the following conditions:
 - a. For employees: When enduring the offensive conduct becomes a condition of continued employment, or the conduct is severe or pervasive enough to create a work environment that a reasonable individual would consider intimidating, hostile, or abusive
 - b. For students: When the conduct is sufficiently severe, persistent, or pervasive so as to limit the student's ability to participate in or benefit from the education program or to create a hostile or abusive education environment.
- *Section 504* (Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794) is a federal law designed to protect the rights of individuals with disabilities in programs and activities that receive federal financial assistance from the U.S. Department of Education.

- *Sexual harassment* is a form of harassment based on sex or gender identity. It is defined as unwelcome sexual advances, requests for sexual favors, and/or other verbal, written, or physical conduct or communication of a sexual nature when:
 - a. It is quid pro quo, meaning submission to such conduct or communication is made a term or condition, either explicitly or implicitly, of the basis for employment decisions or educational decisions or benefits for students (e.g., receiving a grade).
 - b. It creates a hostile environment, meaning unwelcome sexual conduct or communication that is sufficiently serious to deny or limit a student's ability to participate in or benefit from the school's program(s). For employees, a hostile environment is created when submission to unwelcome sexual conduct is made, either explicitly or implicitly, a term or condition of an individual's employment.
- *Sexual harassment examples* include:
 - a. Sexual or "dirty" jokes;
 - b. Sexual advances;
 - c. Pressure for sexual favors;
 - d. Unwelcome touching, such as patting, pinching, or constant brushing against another's body;
 - e. Displaying or distributing of sexually explicit drawings, pictures, and written materials;
 - f. Graffiti of a sexual nature;
 - g. Sexual gestures;
 - h. Touching oneself sexually or talking about one's sexual activity in front of others;
 - i. Spreading rumors about or rating other's sexual activity or performance;
 - j. Remarks about an individual's sexual orientation; and
 - k. Sexual violence, including rape, sexual battery, sexual abuse, and sexual coercion;
- *Title II* of the Americans with Disabilities Act extends the prohibition on discrimination established by Section 504 to all services, programs, and activities of State and local government entities.
- *Title IX* is a federal law that protects people from discrimination, based on sex, in education programs or activities that receive federal financial assistance.

Complaint Filing Procedure

The Board shall create an informal and formal discrimination and harassment complaint filing procedure in board regulations coded AAC-BR. The procedure provides for an impartial investigation free of conflicts of interest. Nothing in this policy or in the discrimination and harassment grievance procedure prevents an individual from pursuing redress through state and/or federal law.

Confidentiality

An individual wishing to file an anonymous discrimination and/or harassment complaint must be advised that confidentiality may limit the district's ability to fully respond to the complaint and that retaliation is prohibited. The appropriate grievance coordinator (Title IX, 504/Title II, or Nondiscrimination) shall perform a confidentiality analysis to determine when a request for confidentiality cannot be honored due to safety reasons or the district's obligation to maintain a nondiscriminatory educational environment. The complainant must be notified in writing of the confidentiality analysis outcome. A discrimination or harassment investigation report is subject to the open records law after 60 days or when the investigation is complete (whichever comes first), with limited exceptions such as when the record is protected by FERPA.

Complaint Recipients

If any District employee receives a discrimination or harassment complaint, the employee shall forward it to the appropriate grievance coordinator. All District employees must receive training on their reporting duties.

Policy Training and Dissemination

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

Grievance Coordinators

The Title IX Coordinator's responsibilities include overseeing the District's response to Title IX reports and complaints and identifying and addressing any patterns or systemic problems revealed by such reports and complaints. The Title IX Coordinator must have knowledge of the requirements of Title IX, of the District's policies and procedures on sex discrimination, and of all complaints raising Title IX issues throughout the District. To accomplish this, the Title IX Coordinator must be informed of any report or complaint raising Title IX issues, even if the report or complaint was initially filed with another individual or office or if the investigation will be conducted by another individual or office. The Board designates the superintendent, as the Title IX Coordinator. He/She may be contacted at: 303 N. Linda St; Tioga, ND 58852, or (701) 664-2333.

The 504/Title II Coordinator's responsibilities include overseeing the District's response to disability discrimination reports and complaints. The 504/Title II Coordinator must have knowledge of the requirements of Section 504 and Title II, of the district's policies and procedures on disability discrimination, and of all complaints raising Section 504/Title II issues throughout the District. To accomplish this, the 504/Title II Coordinator must be informed of any report or complaint raising Section 504/Title II issues, even if the report or complaint was initially filed with another individual or office or if the investigation will be conducted by another individual or office. The Board designates the superintendent, as the 504/Title II Coordinator. He/She may be contacted at: 303 N. Linda St; Tioga, ND 58852, or (701) 664-2333.

The Nondiscrimination Coordinator's core responsibilities include overseeing the District's response to discrimination and harassment reports and complaints that do not include sex or disability, but instead the other protected statuses. The Board designates the superintendent, as the Nondiscrimination Coordinator. He/She may be contacted at: 303 N. Linda St; Tioga, ND 58852, or (701) 664-2333.

The Title IX, 504/Title II, and Nondiscrimination Coordinators, and any other school official responsible for the investigation of discrimination complaints, shall receive training. This training must include (1) the definition of discrimination, harassment, and retaliation; (2) the handling of complaints under the Discrimination and Harassment Grievance Procedure (AAC-BR); and (3) the applicability of confidentiality requirements.

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

- AAC-BR, Discrimination and Harassment Grievance Procedure
- AAC-E, Filing a State or Federal Discrimination and/or Harassment Complaint
- AAC-E2, Discrimination and/or Harassment Complaint Confidentiality Assessment
- AAC-E3, Discrimination and/or Harassment Training Requirements for Students and Employees
- AAC-E4, Reasonable Accommodation Request Physician Form
- FGDB, Student Handbooks

End of Tioga School Board Policy AACAmended: December 2019

DESIGNATION OF RESPONSIBLE EMPLOYEES

Employee-Employee Discrimination/Harassment: An employee of the Tioga Public School District who has witnessed or been a victim of employee-employee workplace discrimination or harassment may file a complaint with any district administrator. The district administrator shall, in turn, follow the applicable steps in the district's discrimination/harassment grievance procedure.

Employee/Student or Student/Student Discrimination/Harassment: All teachers, librarians, paraprofessionals, and administrators are considered responsible employees for purposes of reporting employee-student and student-student discrimination/harassment and shall follow the necessary reporting steps under AAC-BR.

End of Tioga PSD #15 Administrative Regulation AAC-AR.....Reviewed January 2017

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 and bullying policies.

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 policy.

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.

To Whom Complaints May be Filed

Complaints may be filed with any responsible employee. Each district school shall print a list of responsible employees in its student handbook. Responsible Employees are required to report any discrimination/harassment to the Superintendent when they knew (e.g., received a complaint, directly observed it) or should have known it was occurring (e.g., overheard students talking about an incident, saw discriminatory or harassing graffiti or vandalism on school property). Failure by a responsible employee to report under this regulation may result in disciplinary action.

Initiating Complaint Resolution Procedure

After receiving a discrimination/harassment complaint or gaining knowledge of potentially discriminatory/harassing conduct, the Superintendent shall contact the complainant/victim, determine if an informal or formal investigation is appropriate, and determine if the complainant/victim requests confidentiality. Requests for confidentiality shall be handled in accordance with policy AAC.

Prohibition on Meeting with the Accused

At no time during the informal or formal resolution process shall the complainant be required to meet with the accused. If any school official listed in this regulation as responsible for conducting or overseeing the investigation is the accused, the Superintendent or Board President (if the Superintendent is the accused) shall designate a different individual (which may be a third party) to carry out the accused's responsibilities associated with the investigation.

Third-Party Assistance

School officials responsible for conducting/overseeing discrimination/harassment investigations are authorized to receive assistance from the district's legal counsel throughout the process.

Investigation Timeframes

The informal resolution procedure shall be completed within 30 days of a responsible-employee reporting the complaint or incident to the Superintendent unless the investigator documents reasons for delays and communicates these reasons with the complainant and accused. The formal resolution procedure shall be completed within 60 days of a responsible employee reporting the complaint or incident to the Superintendent or a complainant or accused terminating the informal complaint procedure unless the investigator documents reasons for delays and communicates these reasons with the complainant and accused.

Interim Measures

Pending the final outcome of an informal or formal investigation, the District shall institute interim measures to protect the complainant and inform him/her of support services available. These interim measures should have minimum impact on the complainant.

Informal Resolution Procedure

This procedure shall not be used when the alleged discrimination or harassment may have constituted a crime. This procedure shall only be used when mutually agreed to by complainant and the Superintendent.

During this process, the Superintendent shall only gather enough information to understand and resolve the complaint. Based on this fact-gathering process, the Superintendent shall propose an informal solution, which may include, but not be limited to, requiring the accused to undergo training on harassment/discrimination, requiring all students and staff to undergo such training, instituting protection mechanisms for the complainant, and/or holding a formal meeting with the accused to review the harassment/discrimination policy and discuss the implications of violating it. Both the complainant and the accused must agree to the informal resolution before it can be instituted.

The Superintendent shall monitor the implementation and effectiveness of recommendations and initiate the formal resolution procedure below 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 Resolution Procedure

Whenever alleged discrimination or harassment may have constituted a crime, the Superintendent should contact law enforcement and enter into a memorandum of understanding concerning sharing of evidence and coordination of the investigation.

The fact-gathering portion of the investigation shall be carried out by the Superintendent and 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. Both the complainant and accused will have equal opportunity to present evidence and name witnesses. Witnesses shall be instructed not to discuss this matter with others.

The fact-gathering portion of the investigation shall be completed within 15-20 calendar days or as soon as practical. After gathering this information, the investigator shall determine if a recommendation for expulsion for an accused student or discharge for an accused teacher should be made. If this recommendation is made, the hearing shall be held in accordance district policy and law, except that both the complainant and accused shall have an equal right to attend the hearing, have parents/spouse (for employees) and a representative present, present evidence, and question witnesses. The complainant may choose to watch the hearing remotely and appoint a representative to participate in the hearing in his/her stead.

Investigation Report:

After the fact-gathering process and, if applicable, hearing is complete, the Superintendent or hearing officer (if a hearing was held) 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. The Superintendent/hearing officer shall assess if discrimination/harassment more than likely not occurred based on, but not limited to, the following criteria:

- Whether evidence suggests a pattern of conduct supporting of disproving the allegations or harassment or discrimination
- Whether behavior meets the definition of harassment, sexual harassment, and/or discrimination as defined in board policy
- Ages of the parties involved

- Relationship between the parties involved
- Severity of the conduct
- How often the conduct occurred, if applicable
- How the District resolved similar complaints, if any, in the past.

Any disciplinary action shall be carried out in accordance with board policy, law, and, when applicable, the negotiated agreement.

The investigation letter shall indicate if any measures shall be instituted to protect the complainant. Such measures may include, but not be limited to, extending any interim protection measures taken during the investigation. The letter shall also inform the complainant of support services available.

The investigation latter shall contain a monitoring plan to evaluate the effectiveness of the resolution and help prevent recurrence.

The resolution listed in the investigation report shall be final and binding; however, nothing shall prevent the parties from seeking judicial redress through a court of compensate jurisdiction or through any applicable state or federal complaint procedures.

End of Tioga School Board Reg. AAC-BR Approved: 12/17/2014

FILING A STATE OR FEDERAL DISCRIMINATION & HARASSMENT COMPLAINT

Most employment-related discrimination or harassment complaints:

- Statute of limitations is 300 days (NDCC 14-02.4-19)
- Complaints should be filed with:
North Dakota Department of Labor
Human Rights Division
600 East Boulevard Ave, Dept. 406
Bismarck, ND 58505-0340
Phone: (701) 328-2660 or 1-800-582-8032

Employee, student, or other person claiming to be aggrieved by a discriminatory practice with regard to public services or public accommodations:

- Statute of limitations is 180 days (NDCC 14-02.4-19)
- Complaints should be filed with:
North Dakota Department of Labor
Human Rights Division
600 East Boulevard Ave, Dept. 406
Bismarck, ND 58505-0340
Phone: (701) 328-2660 or 1-800-582-8032

Student harassment or discrimination complaints related to programs and activities that receive federal financial assistance:

- Statute of limitations is 180 days for most claims (28 CFR 35.170 and 34 CFR 100.7). There may be an exception for Section 504 claims.
- Complaints should be filed with:
Chicago Office for Civil Rights
U.S. Department of Education
Citigroup Center
500 W. Madison Street, Suite 1475
Chicago, IL 60661-4544
Phone: 312-730-1560; Fax: 312-730-1576; TDD: 800-877-8339
Email: OCR.Chicago

End of Tioga PSD #15 Exhibit AAC-E.....Amended: November 2017

DISCRIMINATION/HARASSMENT COMPLAINT CONFIDENTIALITY ASSESSMENT

Date of complaint: _____

Summary of complaint: _____

When one or more of the following conditions exists, the District may be unable to honor a complainant's request for confidentiality. Check all that apply:

The complaint alleges acts of child abuse/neglect or criminal acts

There have been other complaints or reports of harassment against the alleged harasser

The accused has a right to receive information about the accuser and the allegations due to an investigator's recommendations that a formal proceeding commence (e.g., expulsion or discharge hearing)

There is an increased risk of the alleged perpetrator committing additional acts of discrimination/harassment or other violence (e.g., the alleged perpetrator has a history of arrests or records from a prior school indicating a history of violence, the alleged perpetrator threatened further acts of discrimination/harassment or other violence against the student or others, and/or the discrimination/harassment was committed by multiple perpetrators)

The alleged act was perpetrated with a weapon

The age, language barriers, or disabled status of the individual subjected to the discrimination/harassment made him/her more susceptible to alleged incident(s)/act(s), considering factors such as the degree to which s/he was able to recognize that discriminatory/harassing conduct is conduct to which they can or should reasonably object and the degree to which they can articulate an objection

The school possesses no other means to obtain relevant evidence (e.g., security cameras or personnel, physical evidence)

NOTES: _____

If the District is unable to honor a complainant's request for confidentiality, the Superintendent shall notify the complainant and provide him/her an opportunity to respond before proceeding with an investigation.

End of Tioga PSD #15 Exhibit AAC-E.....Reviewed 2/2017

TRAINING REQUIREMENTS FOR RESPONSIBLE EMPLOYEES

Responsible employees are defined in AAC-BR. Below are the areas in which they should receive training:

Receiving and reporting discrimination complaints, including when to report (knew or should have known standard).

Information about how to prevent and identify discrimination and harassment, including sexual violence and same-sex sexual violence

The behaviors that may lead to and result in sexual violence

The attitudes of bystanders that may allow discriminatory/harassing conduct to continue the potential for re-victimization by responders and its effect on students

The appropriate methods for responding to a student who may have experienced discrimination/harassment, including sexual violence. Training should include the use of nonjudgmental language

The impact of trauma on victims; and, as applicable, the person(s) to whom such misconduct must be reported

The importance of informing complainants of: the reporting obligations of responsible employees
Complainants' option to request confidentiality

Available confidential advocacy, counseling, or other support services

Complainants' right to file a Title IX complaint with the school and to report a crime to local law enforcement."

End of Tioga PSD #15 Exhibit AAC-E3.....Reviewed 2/2017

REASONABLE ACCOMMODATION REQUEST PHYSICIAN FORM

Dear Physician:

A request for a reasonable accommodation has been made by our employee, _____ **(Employee's Name)**. To determine whether or not this request should be granted and how best to respond to this request, the Tioga Public School District #15 is requesting that you complete the following form.

ADA Qualifying Disability

An employee has a disability if s/he has an impairment that substantially limits one or more major life activities or a record of such impairment.

- Does the employee have a physical or mental impairment? (Includes any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive, digestive, genito-urinary; hemic and lymphatic; skin; and endocrine; or any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.)

Yes
No

If yes, specify the impairment:

- Does the impairment substantially limit one or more major life activities or bodily functions?

Yes
No

Check all that apply:

Caring for oneself	Performing manual tasks	Hearing
Seeing ¹	Eating	Sleeping
Walking	Standing	Lifting
Bending	Speaking	Breathing
Learning	Reading	Concentrating
Communicating	Working	Operation of a major bodily function ²
Thinking	Other: _____	

Describe how the major life activity or operation of major bodily function is affected (do not take into account mitigating measures such as medication):

¹ Do not check if this can be corrected through eye glasses or contact lenses

² Includes, but is not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions

Determination of Reasonable Accommodation *(Answer only if the employee has a disability meeting the definition above)*

1. Please review the attached job description. Is the employee able to perform the essential job functions of this position with or without reasonable accommodation?

Yes No

If yes, please continue to next question. If no, please list which job functions s/he is unable to perform and how long the employee will be unable to perform these job duties.

Functions unable to perform:

____ # of weeks ____ # of months ____ permanently

2. What adjustments to the work environment or position responsibilities would enable the employee to perform the essential functions of that position?
3. The employee's typical schedule is _____ **(List days and hours).**
What, if any, adjustments need to be made to the employee's work schedule to enable the employee to perform the essential job functions?
4. How would your suggestions improve the employee's job performance?
5. How long will the employee need the reasonable accommodation? If unable to provide a date, when will he or she be medically reevaluated?

Any additional comments or suggestions:

Physician Name (Please Print)

Signature of physician completing form

Date

End of Tioga PSD #15 Exhibit AAC-E4.....Reviewed 2/2017

SECTION 504 DISPUTE RESOLUTION POLICY

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

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

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

- AAC, Nondiscrimination & Anti-Harassment Policy
- AAC-R, Discrimination & Harassment Grievance Procedure
- AACA-E, School District's Duty Under Section 504
- AACA-E2, Section 504 Notice & Procedural Safeguard Guidelines
- FDE, Education of Special Education/Disabled Students

End of Tioga PSD #15 Policy AACA.....Adopted: February 2017

NORTH DAKOTA'S COMPREHENSIVE MODEL SCHOOL POLICY FOR TOBACCO USE

Definitions

For purposes of this policy:

Electronic smoking device means any device that can be used to deliver aerosolized or vaporized nicotine to the person inhaling from the device, including, but not limited to, an e-cigarette, e-cigar, e-pipe, vape pen or e-hookah.

☐ *Possession of Tobacco Products means:*

- a. Physical possession of the tobacco product while on school property and at school-sponsored events (whether on or off district property);
- b. Use or consumption of the tobacco product while on school property;
- c. Tobacco product located in the student's locker, car, handbag, backpack, or other belongings while on school property; or
- d. Appearance by a student on school property after having consumed or ingested the tobacco product that is noticeable by breath odor.

☐ *Smoking* means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated tobacco, nicotine, or plant product intended for inhalation, including hookah and marijuana, whether natural or synthetic. "Smoking" also includes the use of an electronic smoking device. This excludes any FDA-approved nicotine replacement therapy.

☐ School property is defined in NDCC 15.1-19-10 (6)(b) as all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by a school district, and the site of any school-sponsored event or activity, whether on or off district property.

☐ *Smokeless tobacco* means any snuff or chewing tobacco.

☐ *Tobacco product* means any product that is made from or derived from tobacco, or that contains nicotine, that is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled or ingested by any other means, including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus. Tobacco product also includes any electronic smoking device.

☐ *Tobacco use* means smoking and the heating, inhaling, chewing, absorbing, dissolving or ingesting any tobacco product.

Rationale for Regulating Possession & Use

The health hazards of tobacco use have been well established. This policy is established to:

1. Reduce the high incidence of tobacco use in North Dakota.
2. Protect the health and safety of all students, employees, and the general public.
3. Set a non-tobacco-use example by adults.
4. Assist in complying with smoking restrictions in state and federal law (NDCC 23- 12-10 and 20 U.S.C. 7973).

Tobacco use is the leading cause of preventable death and disability in North Dakota. To support and model a healthy lifestyle for our students, the Tioga School Board establishes the following tobacco-free policy.

Use & Possession Prohibitions

1. **Students:** Possession and/or use of tobacco products by students on school property is prohibited at all times.
2. **Staff/Visitors:** The use of tobacco products by all school employees and visitors on school property is prohibited.

This policy includes all events on school property that are not sponsored by, or associated with, the school at all times.

3. **Additional:** The District will not allow advertising of tobacco products on school property or in any school publications. This includes clothing that advertises tobacco products.

The District will not accept any gifts (such as curriculum, book covers, speakers, etc.) or funds from the tobacco industry.

Communicating to Students, Staff, & Public

This policy will be printed in employee and student handbooks. The District shall comply with all smoking prohibition posting requirements in NDCC 23-12-10.4 and post such notices in other highly visible places in all district schools and property, such as, but not limited to: school playgrounds, athletic fields and school-sponsored events (on district property). Parents will be sent notification in writing, and the local media will be asked to communicate this tobacco-free policy communitywide.

Responsibility for Violations

All individuals on the district's premises share in the responsibility for adhering to and enforcing this policy. The Superintendent shall develop regulations for the enforcement and implementation of this policy.

Tobacco Cessation Services

Individuals requesting assistance with tobacco cessation services will be referred to NDQuits, the North Dakota Department of Health multi-media tobacco cessation program. This is a free cessation service provided to citizens of North Dakota.

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

- ☐ DEAA, Drug & Alcohol Free Workplace
- ☐ FF, Student Conduct & Discipline
- ☐ FFE, Extracurricular Participation Requirements
- ☐ FGDE, Student Distribution & Posting of Non-curricular Material
- ☐ HDD, Gifts & Bequests
- ☐ KAAA, Visitors in Schools
- ☐ KAAA-AR, Visitors in Schools Regulations
- ☐ KAAD, Distribution of Non-curricular Material in Schools

End of Tioga PSD #15 Policy ABBA.....Amended: March 11, 2019

NON-CURRICULAR USE OF DISTRICT PROPERTY

In accordance with the Equal Access Act and Boy Scouts of America Act, if and/or when the District grants non-curricular student-led groups use of school facilities during non-instructional time, it shall also grant use to:

1. Any group officially affiliated with the Boy Scouts of America
2. Any other youth group that is required to be granted access under federal law
3. Community groups that are out-of-school organizations that benefit the school and community

Before the District grants use of school facilities, each of the groups listed above shall complete and submit a Facility/Bus Reservation form to the Superintendent for approval and must agree to facility/bus use regulations before rental/use. The District shall check with its insurance carrier to ensure coverage and, if available, obtain written confirmation of this coverage prior to granting a facility use request. If it has been determined that the school's insurance plan does not cover the use, the party using property shall provide proof of insurance, with the District named as an additional insured. All groups shall agree to pay all damages resulting from rental and/or use.

The Superintendent shall develop facility use regulations. They shall be nondiscriminatory in content, applied uniformly, shall contain conditions for approval and disapproval of facility use requests, contain terms of use and supervision requirements, and terms under which community groups must pay short-term rental fees.

The Superintendent shall establish, and submit to the Board for approval, a schedule of rental and service charges to offset district costs.

End of Tioga PSD #15 Policy ABBB.....Reviewed: February 2017

USE OF TIOGA HIGH SCHOOL AND CENTRAL ELEMENTARY FACILITIES

If **students** wish to use the facilities outside of the regular school hours:

- A. Must have a teacher or coach present to supervise.
- B. If A. is not possible, the superintendent or principal can approve a responsible adult to act as a supervisor (first preference – an employee; second preference – a responsible adult whose age is somewhat greater than that of the students).

If **adults** wish to use the facilities:

- A. Same conditions as for students, with the exception of the stipulation with regards to age in B. above.

To reserve the facilities:

- A. Approval, in order of preference:
 - 1. Board approval preferred. Requests need to be submitted to the Administrative Offices prior to the posting of the regular school board meeting agenda.
 - 2. Superintendent in special cases or an emergency.
 - 3. Others, in special cases or emergencies.
 - a. THS – Superintendent or High School Principal. Central – Superintendent or Elementary Principal
- B. The Board/Superintendent will specify which building is to be used (THS or Central Gym).
- C. Rate: Central Gym -- \$10/hr; THS Gym -- \$15/hr; THS Kitchen and Cafeteria -- \$25.00 (flat fee).
- D. The Board has the option of waiving or varying the fee based on the request and community involvement.

Keys (if any distributed) – Superintendent & principals.

Certificates of Insurance: If building is used for anything except basically exercising such as basketball, volleyball, weight lifting by individuals, certificates of insurance will be required. This is especially true if members of the public are invited.

LIQUOR OR TOBACCO PRODUCTS ARE NOT ALLOWED ON THE PREMISES.

USE OF BUILDINGS BY STUDENT ORGANIZATIONS

Student organizations may use the school buildings during the evening hours if properly supervised by one or more faculty members. Such activities must be approved by the administrative staff.

End of Tioga PSD #15 Policy ABBA.....Reviewed February 2017

FACILITIES RESERVATION FORM

DATE OF RESERVATION: _____ **TIME:** _____

NAME OF SCHOOL FACILITIES TO BE USED: _____

GROUP NAME: _____ **NUMBER IN GROUP:** _____

NAME OF PERSON IN CHARGE: _____

PHONE NUMBER OF PERSON IN CHARGE _____

NAME OF INSURANCE COMPANY AND AMOUNT: _____

NOTE: LIQUOR OR TOBACCO PRODUCTS

ARE NOT ALLOWED ON THE PREMISES

INDEMNIFICATION AGREEMENT

For the sole consideration of the use of the premises known as _____, located the City of _____, N.D. on _____, 20 _____, the undersigned does hereby fully and forever release and discharge the TIOGA PUBLIC SCHOOL DISTRICT # 15, its agents and employees; and their heirs, personal representatives, successors, and assigns from all claims, demands, damages, actions, rights of action, of whatever kind or nature which hereafter arise out of, in consequence of, on account of, or in any way derived from the use of the aforescribed premises.

I/We further agree to reimburse the TIOGA PUBLIC SCHOOL DISTRICT # 15 for the cost of repairing any damage incurred to the premises while utilized by the undersigned, or to the replacement of same value to the loss of equipment from said premises resulting from the use of the undersigned.

Dated at _____, N.D., this _____ day of _____ 20____.

School Official/Organization _____

Individual _____

OUT-OF-SCHOOL USE OF BUSES

The use of the Tioga School District buses by out-of-school organizations may be permitted under the following conditions.

1. Requests for use of buses must be made early enough so that the Board may consider such use at one of their regular school board meetings.
2. A driver must have a legal school bus driver operator license in order to drive the bus.
3. If a driver is secured who does not drive bus for the Tioga PSD #15, the school district will check with their insurance carrier to see if additional coverage is required. The driver must provide a copy of his/her driver license to the Administration Office no less than two (2) weeks prior to the activity.
4. Only organizations which belong to the local school community will be given permission to use the buses.
5. Use of the buses by out-of-school organization is not to interfere with school use or programs.
6. Users are to pay for all fuel for the operation of the buses.
7. A fee of \$25.00 per day and 15 cents per mile will be charged for the use of the buses.
8. The Board has the option of waiving or varying the fee based on the request and community.

BUS RESERVATION FORM

DATE OF RESERVATION: _____ **TIME:** _____

ACTIVITY/ORGANIZATION: _____

NUMBER OF STUDENTS AND ADULTS ON BUS: _____

NAME OF PERSON IN CHARGE: _____

PHONE NUMBER OF PERSON IN CHARGE _____

NAME OF INSURANCE COMPANY AND AMOUNT (if applicable): _____

NOTE: LIQUOR OR TOBACCO PRODUCTS

ARE NOT ALLOWED ON THE PREMISES

INDEMNIFICATION AGREEMENT

For the sole consideration of the use of the premises known as _____, located the City of _____, N.D. on _____, 20 _____, the undersigned does hereby fully and forever release and discharge the TIOGA PUBLIC SCHOOL DISTRICT # 15, its agents and employees; and their heirs, personal representatives, successors, and assigns from all claims, demands, damages, actions, rights of action, of whatever kind or nature which hereafter arise out of, in consequence of, on account of, or in any way derived from the use of the aforescribed premises.

I/We further agree to reimburse the TIOGA PUBLIC SCHOOL DISTRICT # 15 for the cost of repairing any damage incurred to the premises while utilized by the undersigned, or to the replacement of same value to the loss of equipment from said premises resulting from the use of the undersigned.

Dated at _____, N.D., this _____ day of _____ 20_____

School Organization

School Official

Individual

WELLNESS POLICY

District Wellness Committee

The Board shall form a District Wellness Committee to develop the wellness policy and perform additional duties described. The Board encourages parents, students, school food service representatives, teachers of physical education, school health professionals, school board members, school administrators, and the public to participate in the development, implementation, and periodic review and update of the school wellness policy.

The District Wellness Committee shall determine the best methods for these individuals and groups to participate in meetings and shall provide information about the participation processes to others using appropriate, effective, and cost-efficient methods.

The District Wellness Committee shall meet at least quarterly to develop a plan for implementing the wellness policy in each school. The implementation plan shall delineate roles, responsibilities, and timelines specific to each school and set goals and objectives in accordance with the requirements of this policy.

The District Wellness Committee shall work with the Superintendent to evaluate each implementation plan. The Superintendent shall designate one individual per school building to ensure building-level compliance with this policy. The name of each designee must be listed in administrative regulations (see ABCC-AR.) Each designee shall collect, summarize, and report evaluation data to the committee.

At least once every three years, the District Wellness Committee shall conduct an assessment of the wellness policy and comply with all reporting requirements mandated by federal law. The District Wellness Committee shall provide the assessment to the Board and disseminate it publicly on the district's website.

The District Wellness Committee may recommend amendments to the wellness policy for Board consideration, based on the results of the assessment; changes in District priorities; changes in community needs; changes in wellness goals; advances in health science, information, and technology; new federal or state guidance; or the issuance of new standards or regulations.

Annually, the District shall disseminate the wellness policy to staff, students, parents, and the public publication in student handbooks and posting on the district website. The District shall also inform parents regarding improvements that have been made to school meals and compliance with school meal standards, the availability of child nutrition programs and how to apply; as well as the USDA [Smart Snacks in Schools](#) nutrition standards.

The District shall retain all wellness policy records mandated by federal law.

Physical Activity

In addition to state standards and mandates¹ related to physical education, the District should strive to make opportunities available for students to be physically active.

The goals of physical activity programs must be to:

1. Develop students' knowledge and skills necessary to perform a variety of physical activities;
2. Assess, maintain and improve personal fitness;
3. Regularly participate in physical activity;https://www.nd.gov/dpi/uploads/87/phy_ed2015.pdf

4. Understand the short- and long-term benefits of physical activity; and
5. Value and enjoy physical activity as an ongoing part of a healthy lifestyle.

Students with disabilities and other special health needs may participate as fully as possible in physical education and other school physical activity programs. Teachers and other school personnel shall not consistently withhold opportunities for physical activity (e.g., recess, physical education class) as a consequence. Other alternative consequences shall be considered in lieu of withholding opportunities for physical activity. Teachers and other school personnel shall document when physical activity is withheld stating the reason behind the decision.

Nutrition Education and Promotion

The District shall teach, model, and support healthy eating in grades K-12 through the curriculum and through other promotional methods. The District should strive to:

1. Educate teachers and other staff members responsible for nutrition education (e.g., provide training regarding the [Dietary Guidelines for Americans](#) and how to teach them);
2. Identify and implement methods to educate family members about district nutrition standards and goals as well as involve them in program development and implementation.
3. Integrate nutrition education into core curricula that is aligned with state standards and requirements;
4. Include developmentally appropriate, culturally relevant and participatory activities in the nutrition curriculum;
5. Emphasize caloric balance between food intake and physical activity
6. Provide students with the knowledge and skills necessary to promote and protect their health;
7. Promote fruits, vegetables, whole-grain products, low-fat dairy products, healthy food preparation methods, and accurate portion sizes; and
8. Promote healthy food and beverage choices for all students as well as encourage participation in school meal programs.

Nutrition promotion must be implemented through the use of evidence-based healthy food promotion techniques (e.g. Smarter Lunchroom techniques²). All foods and beverages offered to students during the school day must meet or exceed the USDA [Smart Snacks in Schools](#) nutrition standards.

The District Wellness Committee may develop a list of activities that will help the District achieve the above goals.

Other School-Sponsored Activities

The District shall seek to promote the physical activity and nutrition goals of this policy through other activities that are practical, implementable, and within district budgetary and statutory parameters. The goals of these other activities shall reinforce the nutrition promotion, nutrition education, and/or physical activity goals set forth above. Activities implemented under this provision may be offered to students, parents, and/or district staff.

The District Wellness Committee may develop activities and programs that will help the District achieve its goals. Such activities and programs may include before-school and after-school physical activities, active transport programs, staff wellness programs, staff professional development programs related to wellness, alternatives to using food as rewards, healthy celebration/party ideas and fundraisers, as well as community partnership programs.

² See <http://smarterlunchrooms.org/ideas>

Nutrition Standards

The District shall comply with applicable nutrition standards established in federal regulations for all reimbursable meals, e.g., the National School Breakfast and Lunch program.

The District shall comply with applicable nutrition standards established in federal regulations for all competitive foods and beverages sold on school grounds during the school day to students (see USDA [Smart Snacks in Schools](#) nutrition standards).

Except as otherwise provided, all foods and beverages provided for celebrations, for snacks, or as rewards, or sold for fundraising by the District, should be selected judiciously, taking into consideration the nutritional value of the food being served, the goals of this policy, and the frequency of use.

Exception to Competitive Food and Beverage Sales

Each school year, schools within the District may hold up to three fundraisers that do not comply with federal nutrition standards for competitive food and beverage sales. The Superintendent shall develop rules for requesting and receiving approval to hold fundraisers under this exception. The fundraiser may occur during school hours, but not during school meal times.

Standards for competitive food and beverage sales do not apply to foods and beverages sold off school grounds and foods and beverages sold on school grounds more than 30-minutes after the school day until midnight of the next school day.

Hydration Standards

To promote hydration, unflavored drinking water that is free must be made available to all students throughout the school day and throughout every school. The District shall make drinking water available where school meals are served during mealtimes. In addition, students may be allowed to bring and carry water bottles filled with only water throughout the day.

Marketing

The District permits marketing and advertising of only those foods and beverages that meet or exceed the USDA Smart Snacks in School nutrition standards. These standards do not apply to foods and beverages sold off school grounds.

Qualifications and Training

The District must comply with any applicable hiring requirements under federal regulations for new hires in the food service program. They must also comply with the annual training requirements under federal regulations for all food service personnel (see ABCC-E).

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

- ABCC-AR, Building-Level Wellness Policy Coordinators
- ABCC-AR2, Physical Activity and Recess Regulations
- ABCC-E, Hiring & Training Requirements for Food Services Staff
- BBBB, School Board Committees
- BDA, Procedure for Adopting Board Policy
- BDBC, Citizens' Advisory Committees
- FGDB, Student Handbooks
- IB, Food Service Program

- IB-E2, DPI Requirements & Guidelines for Adult Meals
- IB-E3, Foods of Minimal Nutritional Value

End of Tioga PSD #15 Policy ABCC.....Amended: June 2017

Descriptor Code: ABDA

ACCESSIBILITY POLICY

The Tioga School District #15 is committed to ensuring accessibility of its website for students with disabilities, parents with disabilities, and members of the public with disabilities. All pages on the district's website will conform to the W3C WAI's Web Content Accessibility Guidelines (WCAG) 2.0, Level AA conformance, or updated equivalents of these guidelines.

The Superintendent is directed to establish procedures whereby students, parents, and members of the public may present a complaint regarding a violation of the Americans with Disabilities Act (ADA), Section 504 and Title II related to the accessibility of any official district web presence that is developed by, maintained by, or offered through the District or third party vendors and open sources.

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

ABDA-BR1, Website Accessibility

ABDA-BR2, Website Accessibility Concerns, Complaints and Grievances

ABDA-E1, Website Accessibility Complaint and Grievance Form

ABDA-E2, Website Accessibility Statement

End of Tioga PSD #15 Policy ABDA.....Adopted: November 14, 2017

ACCESSIBILITY

With regard to the District website and any official district web presence that is developed by, maintained by, or offered through third party vendors and open sources, the District is committed to compliance with the provisions of the Americans with Disabilities Act (ADA), Section 504 and Title II, so that students with disabilities, parents with disabilities, and members of the public with disabilities are able to independently acquire the same information, engage in the same interactions, and enjoy the same benefits and services within the same timeframe as those without disabilities, with substantially equivalent ease of use; and that they are not excluded from participation in, denied the benefits of, or otherwise subjected to discrimination in any District programs, services, and activities delivered online.

All existing web content produced by the District and new, updated, and existing web content provided by third-party developers, must conform to Web Content Accessibility Guidelines (WCAG) 2.0, Level AA conformance, or updated equivalents, by no later than **January 31, 2018**. This regulation applies to all new, updated, and existing web pages, as well as all web content produced or updated by the District or provided by third-party developers.

The district's Technology Director is responsible for periodically reviewing and evaluating new material that is published by district staff and uploaded to the website for accessibility. Only District staff who have received training on website accessibility may upload material to the website. The Technology Director shall assist any staff with publishing or uploading accessible material should assistance be needed.

The Technology Director is responsible for reviewing all areas of the district's website and evaluating its accessibility on a periodic basis, and at least once per quarter. Any department or staff page with non-conforming webpages will be asked to correct the problem in a timely manner.

End of Tioga Policy ABDA-BR1.....Adopted: November 14, 2017

WEBSITE ACCESSIBILITY CONCERNS, COMPLAINTS AND GRIEVANCES

A student, parent or member of the public who wishes to submit a complaint or grievance regarding a violation of the Americans with Disabilities Act (ADA), Section 504 or Title II related to the accessibility of any official district web presence that is developed by, maintained by, or offered through the District, third-party vendors and/or open sources may complain directly to a school administrator. The initial complaint or grievance should be made using Exhibit ABDA-E1, however, a verbal complaint or grievance may be made. When a school administrator receives the information, they shall immediately inform the Technology Director.

Whether or not a formal complaint or grievance is made, once the District has been notified of inaccessible content, effective communication shall be provided as soon as possible to the reporting party to provide access to the information. The complainant should not have to wait for the investigation of the complaint to be concluded before receiving the information that he/she was unsuccessful in accessing.

Complaints or grievances should be submitted in writing, via email, or by completing Exhibit ABDA-E1. To file a complaint or grievance regarding the inaccessibility of the District's public website content, the complainant should submit a description of the problem, including:

1. Complainant's Name;
2. Complainant's Address;
3. Date of the complaint;
4. Description of the problem encountered;
5. Web address or location of the problem page;
6. Solution desired; and
7. Contact information in case more details are needed (email and phone number.)

The complaint or grievance must be investigated by the district's Technology Director or another individual designated by the Superintendent. The complainant must be contacted no later than five (5) working days following the date the website accessibility compliance coordinator receives the information. The procedures to be followed are:

An investigation of the complaint must be completed within fifteen (15) working days. Extension of the time line may be approved only by the Superintendent.

The investigator shall prepare a written report of the findings and conclusions within five (5) working days of the completion of the investigation.

The investigator shall contact the complainant upon conclusion of the investigation to discuss the findings and conclusions and actions to be taken as a result of the investigation.

A record of each complaint and grievance made pursuant to Board Policy ABDA must be maintained by the district office. The record shall include a copy of the complaint or grievance filed, report of findings from the investigation, and the disposition of the matter.

End of Tioga PSD #15 Board Reg. ABDA-BR2.....Approved: November 14, 2017

WEBSITE ACCESSIBILITY COMPLAINT AND GRIEVANCE FORM

Date of Complaint/Grievance:

Complainant Name: Address: Email: Phone:

Website address (or location) of accessibility problem:

Description of the problem encountered:

Solution desired:

Thank you for bringing this matter to the District's attention. You may be contacted if more information is needed to process your complaint/grievance. The investigation process is typically completed within fifteen (15) working days from the date it was received.

Signature:

End of Tioga PSD #15 Exhibit ABDA-E1.....November 14, 2017

WEBSITE ACCESSIBILITY STATEMENT

If you cannot fully access the information on any web page of this site, please let us know the accessibility issue you are having by contacting **Bridgette Odegaard, Technology Coordinator** at **(701) 664-3606** or at bridgette.odegaard@k12.nd.us. We will try to provide the information to you in an alternate format and/or make the necessary improvements to make the information accessible. If you would like to file a formal grievance under Section 504 of the Rehabilitation Act, you may contact our Section 504 coordinator, **Carolyn Eide, Superintendent** at **Tioga Public School District #15; 303 N. Linda St./ PO Box 279; Tioga, ND 58852** or carolyn.eide@k12.nd.us

End of Tioga PSD #15 Exhibit ABDA-E2

AUTOMATED EXTERNAL DEFIBRILLATORS (AED)

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

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

Training

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

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

- ACAB, Emergency & Disaster Plans & Drills

End of Tioga PSD #15 Policy ACBA.....Adopted: January 2017

SIGNIFICANT CONTAGIOUS DISEASES

The Tioga School Board adopts this policy with the intent of protecting the health and safety of all district students, staff, and independent contractors.

Definitions

For the purposes of this policy, the terms *affected person*, *decisionmaker*, *independent contractor*, *institution*, *reasonable accommodations*, *significant contagious disease*, *special provisions*, and *universal precautions* will be defined in accordance with ND Administrative Code 33-06-05.1-02.

Universal Precautions

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

Nondiscrimination & Anti-Harassment

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

Confidentiality

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

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

Spokesperson

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

Reasonable Accommodations & Public Health Threats

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

1. **Students:** When a student's personal physician or the multidisciplinary team (in the case of a student who is defined as having a disability under state or federal law) determines that the student is unable to participate in regular classroom instruction, the District will provide either reasonable accommodations, special provisions, or an individualized education program. The *superintendent* shall establish procedures for the development of special provisions.

2. **Employees & Contractors:** When an employee's, prospective employee's, or independent contractor's personal physician determines that the employee, prospective employee, or independent contractor is able to perform job duties and does not constitute a public health threat, the District will consider and implement reasonable accommodations to allow the affected individual to become/continue as an employee or become/continue as an independent contractor.

Education

1. **Students:** The District will implement an instructional program on significant contagious disease appropriate to each participating grade level, providing information about the diseases, methods of transmission, the means of protecting against contracting the diseases in an institutional setting, the use of universal precautions and prevention. Instruction will begin in Grade K and continue through Grade 12.³ The curriculum will be integrated into the health and science curriculum.

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

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

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

Those employees designated to teach significant contagious disease prevention to students will receive additional inservice from qualified health education professionals.

3. **Independent Contractors:** All independent contractors performing services for the District will receive a brochure concerning significant contagious diseases upon entering into a contract with the District. The brochure shall contain information regarding the transmission of significant contagious diseases in an institutional setting, the means of protecting against contracting the diseases in an institutional setting, and the use of universal precautions.

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

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

End of Tioga PSD #15 Policy ACBB.....Reviewed: January 2017

LAWS ON IMMUNIZATIONS, CONTAGIOUS DISEASE, REPORTABLE DISEASE, AND SIGNIFICANTLY CONTAGIOUS DISEASE

Definitions

- *Age-appropriate immunizations* (ND Administrative Code 33-06-05-01) refers to the vaccines a child should receive based on age and previous immunization history as recommended by the advisory committee on immunization practices of the United States department of health and human services and outlined by the North Dakota immunization schedule.
- *Communicable disease* (NDCC 23-07.6-01) means a disease or condition that causes serious illness, serious disability, or death, the infectious agent of which may pass or be carried, directly or indirectly, from the body of one person to the body of another.
- *Reportable disease* (ND Administrative Code 33-06-01): See ND Department of Health reportable disease chart at <http://www.ndhealth.gov/Disease/Documents/ReportableConditions.pdf>.
- *Significant contagious disease* (ND Administrative Code 33-06-05.1-02): includes cytomegalovirus (CMV), hepatitis B (HBV) and human immunodeficiency (HIV) infection. The local board of health or the state health officer may determine that other diseases are significant contagious diseases.

Confidentiality Requirements

1. **Employee medical records** (NDCC 44-04-18.1 (1)): Any record of a public employee's medical treatment or use of an employee assistance program is not to become part of that employee's personnel record and is confidential and, except as otherwise authorized by law, may not be used or disclosed without the written authorization of the employee. As used in this section, the term "public employee" includes any individual who has applied for employment, is employed, or has been employed by a public entity.
2. **Student medical records:** At the elementary or secondary school level, students' immunization and other health records that are maintained by a school district or individual school, including a school-operated health clinic, that receives funds under any program administered by the U.S. Department of Education are "education records" subject to *FERPA*, including health and medical records maintained by a school nurse who is employed by or under contract with a school or school district. Parents have a right under *FERPA* to inspect and review these health and medical records because they are "education records" under *FERPA*. See 34 *CFR* §§ 99.10 – 99.12. In addition, these records may not be shared with third parties without written parental consent unless the disclosure meets one of the exceptions to *FERPA*'s general consent requirement.

From Joint Guidance on Application of FERPA and HIPAA:
<http://www.hhs.gov/ocr/privacy/hipaa/understanding/coveredentities/hipaaferpajointguide.pdf>

3. Significant contagious disease

- a. **Employees** (ND Administrative Code 33-06-05.3-02): Unless disclosed by the affected person, or their personal physician, no disclosure of an affected individual's condition may be made. In order to eliminate discrimination, the local governing body should develop policies concerning the comprehensive application of universal precautions throughout the institution.
- b. **Independent Contractors** (ND Administrative Code 33-06-05.4-02): Unless disclosed by the affected person, or their personal physician, no individual may be informed of an affected individual's infection. In order to eliminate discrimination, the local governing body should develop policies concerning the comprehensive application of universal precautions throughout the institution.

- c. Students (ND Administrative Code 33-06-05.2-02): Unless disclosed by the affected person, their parent or guardian, or their personal physician, no individual may be informed of an affected individual's infection. In order to eliminate discrimination, the local governing body should develop policies concerning the comprehensive application of universal precautions throughout the institution.

Disease Reporting Requirements

1. **Contagious disease:** (ND Administrative Code 33-06-02-01 (4)): Whenever any school principal or teacher in any private, public, or parochial school has reason to suspect that any pupil is suffering from or has been exposed to any communicable condition, such principal or teacher shall send the child home with instructions to see the child's family physician. Any pupil so excluded shall not be permitted to attend school again until the pupil shall present a certificate from a physician licensed to practice medicine in North Dakota or from the local health department stating that the child is not suffering from a communicable condition and that it is safe for the child to return to school. Such principal or teacher shall also report any such suspected case to the local health officer, who, upon receipt of such report, shall use the officer's best judgment as to the necessity for further investigating the case.
2. **Reportable disease** (NDCC 23-07-02 (2)): Who to report reportable diseases. Except as otherwise provided by section 23-07-02.1, the following persons or their designees shall report to the state department of health any reportable disease coming to their knowledge.

The director, principal manager, or chief executive officer of:

- a. Health care institutions, including hospitals, medical centers, clinics, long-term care facilities, assisted living facilities, or other institutional facilities;
- b. Medical or diagnostic laboratories;
- c. Blood bank collection or storage centers;
- d. Public and private elementary and secondary schools;
- e. Public and private universities and colleges;
- f. Health or correctional institutions operated or regulated by municipal, county or multicounty, state, or federal governments;
- g. Funeral establishments and mortuaries; and
- h. Child care facilities or camps.

Immunization Requirements

ND Administrative Code 33-06-05-01 (2b):

Minimum requirements for children attending kindergarten through grade twelve shall be age-appropriate immunizations against diphtheria, pertussis, tetanus, poliomyelitis, measles, mumps, rubella, varicella (chickenpox), and meningococcal disease.

See ND Department of Health immunization chart:

<http://www.ndhealth.gov/immunize/schools-childcare/>

Immunization Exemptions

1. NDCC 23-07-17.1 (2-3)

- a. A child may enter an institution upon submitting written proof from a licensed physician or authorized representative of the state department of health stating that the child has started receiving the required immunization or has a written consent by the child's parent or guardian for a local health service or department to administer the needed immunization without charge or has complied with the requirements for certificate of exemption as provided for in subsection 3.
- b. Any minor child, through the child's parent or guardian, may submit to the institution authorities either a certificate from a licensed physician stating that the physical condition of the child is such that immunization would endanger the life or health of the child or a

certificate signed by the child's parent or guardian whose religious, philosophical, or moral beliefs are opposed to such immunization. The minor child is then exempt from the provisions of this section.

2. ND Administrative Code 33-06-05-01 (4)

A child with a medical or a beliefs exemption is exempt from any one or all of the immunization requirements. A physician must sign an exemption form indicating the vaccines that are included in the medical exemption. A parent or guardian must sign an exemption form stating that the child has a beliefs exemption and indicate which vaccines are exempt because of beliefs. A child with a reliable history of chickenpox disease is exempt from varicella (chickenpox) immunization requirements. A physician or parent or guardian must sign an exemption form stating that the child has had chickenpox disease. Exemption forms must be kept on file with the immunization records at the child's school, early childhood facility, head start program, or preschool educational facility.

Non-Discrimination Protections for Affected Individuals

1. **Disabled students and employees:** See Nondiscrimination and Anti-harassment Policy (AAC) and Education of Special Education/Disabled Students (FDE)

2. Significant Contagious Disease

- a. Employees (ND Administrative Code 33-06-05.3-01): No employee or potential employee may be terminated or prevented from becoming employed at the institution solely because they have or they are perceived to have a significant contagious disease. If the employee is well enough to perform their job and does not constitute a public health threat to others, as determined by a personal physician, the employee must be permitted to perform the duties.
- b. Independent Contractors (ND Administrative Code 33-06-05.4-01): No independent contractor may be terminated or prohibited from contracting with the institution solely because they have or they are perceived to have a significant contagious disease. If the independent contractor is capable of performing the work, or reasonable accommodations can be made to allow the independent contractor to perform the work, and the independent contractor does not constitute a public health threat to others, as determined by a personal physician, the independent contractor must be permitted to contract with the institution.
- c. Students (ND Administrative Code 33-06-05.2-01): No student may be prohibited from attending the institution solely because they have, or they are perceived to have, a significant contagious disease. If the student is well enough to attend the institution, and does not constitute a public health threat, as determined by the decisionmaker, the student must be permitted to attend the institution. If the student is unable to attend regular class instruction or requires special consideration, then special provisions or individualized education programs must be provided for the student.

Recordkeeping Requirements and State Reports

1. ND Administrative Code 33-06-05-01 (5)

- a. Recordkeeping and reporting. Records and reports requested by the state department of health shall be completed and submitted to the state department of health.
- b. Certificates of immunization, a North Dakota immunization information system (NDIIS) record, or other official proof of immunization must be presented to the designated institutional authority before any child is admitted to an institution.
- c. Upon request by the institutional authority and approval by the department, the department shall provide access to the NDIIS by institutional authority. The department of health shall disclose immunization records maintained by the NDIIS to an institutional authority to fulfill the required proof of immunization.

- d. The parent or guardian of a child claiming a medical or beliefs exemption shall present an appropriately signed statement of exemption to the designated institutional authority. Proof of immunization or the statement of exemption must be maintained by the child's school or early childhood facility.
- e. The school or early childhood facility immunization summary report must be submitted to the state department of health by November first of each year

2. ND Administrative Code 33-06-05-01 (6)

Appointment of an institutional authority.

- a. An institutional authority shall be appointed for each institution by its governing board or authorized personnel. The authority must be an employee of such institution.
- b. The name of the designated institutional authority, the institution, address, and telephone number shall be submitted to the appropriate governing state department by July first of each year.

Student Exclusion from School Due to a Health Threat

1. **Failure to provide, at the time of admission, either proof of all required immunizations or valid immunization exemption documentation (NDCC 23-07-17.1):** A child may not be admitted to any public, private, or parochial school, or day care center, child care facility, head start program, or nursery school operating in this state or be supervised through home-based instruction unless the child's parent or guardian presents to the institution authorities a certification from a licensed physician or authorized representative of the state department of health that the child has received age-appropriate immunization[s]:
 - a. A child may enter an institution upon submitting written proof from a licensed physician or authorized representative of the state department of health stating that the child has started receiving the required immunization or has a written consent by the child's parent or guardian for a local health service or department to administer the needed immunization without charge or has complied with the requirements for certificate of exemption as provided for in subsection 3.
 - b. Any minor child, through the child's parent or guardian, may submit to the institution authorities either a certificate from a licensed physician stating that the physical condition of the child is such that immunization would endanger the life or health of the child or a certificate signed by the child's parent or guardian whose religious, philosophical, or moral beliefs are opposed to such immunization. The minor child is then exempt from the provisions of this section.
2. **The student is immunization-exempt, an epidemic has been identified in a district school or schools, and a public health officer has deemed such students' attendance a potential public health threat (NDCC 23-07-17.1 (6)):** When, in the opinion of the health officer, danger of an epidemic exists from any of the communicable diseases for which immunization is required under this section, the exemptions from immunization against such disease may not be recognized and children not immunized must be excluded from an institution listed in subsection 1 until, in the opinion of the health officer, the danger of the epidemic is over. The designated institution authority shall notify those parents or guardians taking legal exception to the immunization requirements that their children are excluded from school during an epidemic as determined by the state department of health.
3. **The student has, or lives with someone who has, a significantly contagious or infectious disease and has not been cleared to attend school under regulations of the local board of health (NDCC 23-07-16):** Except as provided by section 23-07-16.1, no principal, superintendent, or teacher of any school, and no parent or guardian of any minor child, may permit any child having any significant contagious or infectious disease, or any child residing in any house in which any such disease exists or has recently existed, to attend any public or private school until permitted to do so under the regulations of the local board of health.

4. **The student is suspected of suffering from or has been exposed to a communicable condition (ND Administrative Code 33-06-02-01 (4)):** Whenever any school principal or teacher in any private, public, or parochial school has reason to suspect that any pupil is suffering from or has been exposed to any communicable condition, such principal or teacher shall send the child home with instructions to see the child's family physician. Any pupil so excluded shall not be permitted to attend school again until the pupil shall present a certificate from a physician licensed to practice medicine in North Dakota or from the local health department stating that the child is not suffering from a communicable condition and that it is safe for the child to return to school. Such principal or teacher shall also report any such suspected case to the local health officer, who, upon receipt of such report, shall use the officer's best judgment as to the necessity for further investigating the case.

End of Tioga PSD #15 Exhibit ACBB-E2.....January 2017

RESPONDING TO POTENTIAL HEALTH THREATS

Determining if a Health Threat Constitutes a Communicable, Reportable, and/or Significant Contagious Disease

For the purposes of this regulation, communicable disease, reportable disease, and significant contagious disease are defined by state law or administrative code, and these definitions are contained in ACBB-E.

If a teacher believes that a student may have a communicable, reportable, and/or significant contagious disease, s/he shall inform the building principal. Failure by a teacher to report this information may result in disciplinary action. The building principal shall contact the Superintendent to inform him/her of the student's suspected condition. Either the building principal or Superintendent should contact local public health or the ND Department of Health to assist in classifying the condition.

Once the illness is classified, the building principal or Superintendent shall comply with any applicable reporting and/or referral requirements contained in state law or administrative code (See NDCC 23-07-02 and ND Administrative Code 33-06-02-01). The District will comply with and implement all applicable provisions in the district's significant contagious disease policy (ACBB) if the illness is classified as such.

Procedure for Responding to a Communicable Disease or Other Public Health Threat

When a building principal or Superintendent suspects the presence of a communicable disease or other public health threat in a school or other district facility, the Superintendent should request the ND Department of Health's assistance with the following:

- Communicating about the threat to students, staff, parents, and the public
- Determining if extracurricular activities should be canceled
- Determining if immunization-exempt students and/or students with certain health conditions should be excluded from school
- Determining if non-immunized staff, staff without verifiable immunization or other medical records that public health has recommended for review, and/or staff with certain health conditions should be excluded from district schools and/or facilities
- Determining if schools or other district facilities should be closed
- Determining if there are additional steps necessary to minimize risk of contagion

Excluding Students from School Due to a Potential Health Threat

Students may be excluded from school for health reasons if any of the following criteria apply:

3. The student's parent/guardian failed to provide, at the time of admission, either proof of all required immunizations or valid immunization exemption documentation (NDCC 23-07-17.1). The District shall inform parents who fail to submit this required documentation of compulsory attendance requirements and law enforcement referral procedures. Students who are homeless must be admitted to schools regardless of whether or not they have submitted immunization records or immunization-exempt documentation at the time of admission. Homeless students shall be referred to public health to receive assistance complying with immunization requirements and/or opt-out assistance.
4. The student is immunization-exempt, an epidemic has been identified in a district school or schools, and a public health officer has deemed such students' attendance a potential public health threat. Such students shall be excluded from school until, in the opinion of the health officer, the danger of the epidemic is over (NDCC 23-07-17.1 (6)).

5. The student has, or lives with someone who has, a significant contagious or infectious disease and has not been cleared to attend school under regulations of the local board of health (NDCC 23-07-16).
6. The student is suspected of suffering from or has been exposed to a communicable condition. The classroom teacher is required to report this suspected condition/exposure to the building principal. The building principal shall contact a local public health officer to determine if the student's condition/exposure should be examined and further investigated. If public health confirms the need for a medical examination, the student will be sent home with instructions to see a physician. The student shall not be permitted to attend school again until s/he presents a certificate from a ND licensed physician or from the local health department stating that the student is not suffering from a communicable condition and that it is safe for the student to return to school (ND Administrative Code 33-06-02-01 (4)).

Educational Services for Students Excluded Due to a Potential Health Threat

Students excluded from school due to a potential health threat must be provided educational services if (a) they currently have an IEP or 504 Plan or (b) if their condition meets the definition of a disability under the Americans with Disabilities Act or significant contagious disease under state law. The Superintendent may consult with legal counsel to determine if the District is required to provide educational services to a student excluded from school due to health reasons.

The District **may** provide educational services, to the extent possible, to all other students who are currently enrolled in a district school but are barred from attending due to a potential health threat.

Educational services provided shall be determined by the Superintendent or multidisciplinary team (for students with a 504 Plan or IEP) based on factors such as the duration the student is excluded from school, available district resources, and IEP/504 Plan requirements if applicable.

Excluding Staff from District Facilities Due to a Potential Health Threat

In the event of a potential health threat, the Superintendent shall work with the ND Department of Health to identify employees who must be excluded from school. Reasons for exclusion may be related to an employee's current or past health conditions, non-immunized status, and/or inability to verify immunizations or medical documentation recommended for review by public health officials. Employees excluded from school during a potential health threat shall be placed on paid administrative leave and shall not return to work until a public health officer deems their return safe. The District shall pay costs associated with employees obtaining any medical records requested by the District.

All temporary employees working in district schools and facilities during a potential health threat must submit proof of receiving all required immunizations and any other medical documentation recommended for review by public health officials. This documentation must be submitted before the temporary employee begins his/her duties, and the District shall pay any costs associated with obtaining medical records.

Confidentiality of Medical Records

All medical records, including immunization records, obtained by the District are confidential. The District shall not release such records except under a valid exception in state or federal law.

End of Tioga PSD #15 Administrative Regulation ACBB-AR

UNIVERSAL PRECAUTIONS & SANITARY CLEANUP

School personnel should practice hygienic procedures when disposing of all human secretions and excretions since they may contain infectious agents capable of spreading disease and since carriers of infectious or contagious diseases are often unknown.

The steps listed below should be followed in all such clean-up situations. The procedures are not intended to replace basic common sense principles of health and hygiene.

Attending to the Victim

1. Wear disposable gloves when cleaning up all secretions and excretions.
2. Have the victim apply a barrier to the affected area if possible. Any secretions/excretions should be removed with disposable paper towels, gauze, or rags.
3. Secure all cleansing materials, gloves, and other soiled items (e.g., diapers) in plastic bags. Tie bags and dispose in a sanitary disposal site.
4. Bag and send home soiled clothing and/or other personal items. Do not clean or rinse these items at school.

Cleaning & Disinfecting Environment

1. Wear disposable gloves when cleaning up the affected area.
2. Sprinkle the affected area with tuberculocidal agent, absorbent chlorine powder, or disinfectant appropriate to the surface as soon as possible.
3. Clean affected area with disposable paper towels, rags, or with a scoop and brush. Scoops or implements to be reused should be washed and sprayed with disinfectant.
4. Secure gloves and all waste in a plastic bag. Tie bag and dispose in a sanitary disposal site.

Cleanup for Attending Employee

1. Using the following procedures, wash hands immediately after completing the cleaning and disinfecting process.
2. Wet hands and apply antiseptic soap.
3. Rub hands together vigorously for at least 15-30 seconds, paying particular attention to fingertips, nails, and jewelry.
4. Clean any exposed skin with an appropriate antiseptic (e.g., alcohol, iodine, etc.) and apply a leak proof dressing if appropriate.

End of Tioga PSD #15 Exhibit ACBB-E.....January 2017

EXHIBIT

RECOMMENDED

Descriptor Code: ACBC

USE OF ANIMALS IN DISTRICT SCHOOLS & IN CURRICULAR PROGRAMS

The Tioga Public School District Board believes there are medical and physical dangers associated with allowing interaction with and/or use of animals in the educational program and in district schools. The Board, however, also recognizes that animals may be an effective teaching aid and/or their presence may be required to reasonably accommodate students and staff with disabilities.

Use of Animals for Educational Purposes

Teachers seeking permission for students to participate in an activity involving animals (e.g., a field trip) shall submit a request to the building principal in accordance with administrative regulations. Such request must be submitted at least 15 days prior to the activity/event. The principal shall consider such requests on a case-by-case basis based upon criteria established by the Superintendent.

Use of Service Animals by the Disabled

Disabled students and staff, as defined by Section 504 of the Rehabilitation Act, may be granted use of a service animal for the purpose of reasonable accommodation. The Superintendent shall make such determinations on a case-by-case basis based on the following criteria. Whether the presence of the service animal would:

1. Impose an undue financial or administrative burden on the District;
2. Require a fundamental alteration to the educational program;
3. Injure the legitimate and legally protectable rights of others. In such cases, a disabled student's parent may be given the option of changing the student's educational placement if alternative placement will remedy the infringement of other's rights.

Revocation of Animal Use

The decision to allow any type of animal in school may be revoked if:

1. The animal poses a direct health and/or safety threat to others to include allergy issues;
2. The animal is out of control;
3. The animal's presence has fundamentally altered the educational program.
4. The animal's vaccinations are not up-to-date.

Animal Related Injuries

The principal and parent/guardian (if a student is involved) shall be notified as soon as possible if an animal bites an individual on school property or during a school-sponsored activity or an animal-related incident occurs on school property or during a school-sponsored activity that could have an adverse effect on an individual's physical or emotional health. An accident report shall be filed in accordance with district policy and regulations.

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End of Tioga PSD #15 Policy ACBC.....Adopted: November 2016

ADMINISTERING MEDICINES TO STUDENTS

If a student is not governed by an IEP or 504 plan, having medication administered to them by the school is a privilege, not a right. The school may defer or deny any request to provide medication to regular education students should it be inconsistent with policy or should the parent or student fail to comply with school medication policy requirements. Invasive route (parenteral) medications will not be provided to regular education students by the school.

Whenever possible, the first dose of medication should be given to a student at home because of possible side-effects.

A parent/guardian must sign a written form authorizing his/her student to receive medication from a school medication provider. A new authorization form is required each school year, whenever the student has a change in his/her medication regimen, or when a new medication is provided.

No medications (prescription or over-the-counter) will be given above the dosage indicated on the bottle, unless accompanied by a physician's written order.

Medications not properly labeled will not be administered.

All medications will be stored in a supervised or locked area to protect the safety of students.

Over-the-Counter Medications

The administering of acetaminophen or ibuprofen at school is not approved without the prior consent of a parent or legal guardian. The school will not provide over-the-counter medication (Tylenol, cough drops, Motrin, etc.) to students. Students must bring their own medication, and it will be marked to be used specifically by that student. All over-the-counter medication must be in their original manufacturer's container. The container must list, in a legible format, the ingredients, recommended dosage, expiration date, administration instructions, and storage instructions (if any). Over-the-counter medication supplied by a student's parent or guardian must also be labeled with the student's first and last name, being careful not to obstruct any necessary information. All medicine will be stored in a locked area.

Prescription Medications

Prescription medications must be supplied in the original pharmacy-labeled container and include, in a legible format, the name of the student, the name of the pharmacy, the name of the medication, dosage, administration directions, expiration date, and storage instructions (if any).

Multiple Medications including Prescriptions, Over-the-Counter Medications, or Both

Multiple medications including prescriptions, over-the-counter medications, or both must include all applicable information listed above, along with a written notice from a healthcare provider or pharmacist certifying that the drugs are not known to adversely interact.

Controlled-Substance Medications

All controlled-substance medications must be hand delivered by a parent to the school. The school and parent must sign off on an initial count of all controlled-substance medications brought to the school. The school must keep a log of all such medications.

Medication Off-Campus When Student Is Under District Supervision

Parents/guardians must make arrangements with the advisor/supervisor/teacher prior to the activity or event, for students who will require medication off-campus while under the district's supervision. At a minimum, parents/guardians making such a request shall be required to comply with the applicable policy requirements regarding medications administered at school. Check-in and storage requirements will be developed on a case-by-case basis for all medications provided.

Medications Being Returned to Parents/Guardians

All medication, no longer being administered by the school, shall be picked up by parents. They will not be released to students. Parents will be notified by mail, or phone, at which time they will be given a reasonable deadline (e.g. 2 weeks). Failure to pick up the medication by the deadline will result in the school destroying the medication in accordance with government recommendations. Destroying medications will be witnessed by school administration.

Medication Error Documentation

To ensure that medication is provided to students correctly, safely, and in good faith, any medication error shall be reported to administration.

Medication errors include, but not limited to:

- Giving the student the wrong medication
- Giving the student the wrong dose of medication

The incident shall be documented as soon as possible after parents have been contacted and appropriate response actions/interventions have been taken. Such documentation shall be filed with the administration to ensure the district has clear documentation of the incident and what actions were taken.

Liability Disclaimer

It is not the intent of the Tioga School District to expand the district's potential liability exposure through the development of this medication program. The district's voluntary creation of this program shall not be construed to create or assume any potential liability under any local, state, or federal law or regulation. State law provides liability protection for establishing policy and providing medication under a school medication program. This protection extends to all school medication providers, the school district, and the Board, so long as each party is acting in good faith.

Student Self-Administration Requirements for Inhalers

All inhalers must be registered each year at the appropriate school office. Parents must sign a consent form permitting his/her student to self-administer and/or carry an inhaler in school. A new parent authorization form is required at the beginning of each school year, anytime the student has a change in his/her medication regimen, or when a new medication is to be provided.

Certification that the student has received instruction in and is capable of self-administering the medication in a responsible and secure manner is required from the student's healthcare provider. Certification that the student is capable of self-administering is required once for each inhalation medication.

End of Tioga PSD #15 ACBD.....Amended: January 2017

REQUEST/CONSENT FOR MEDICATION ADMINISTRATION
Tioga School District

Student: _____ Date: _____

Grade: _____ Date of Birth: _____

Medication name: _____

Administered for what medical condition? _____

First dose of medication MUST be taken at home in case of adverse reaction.

This is not the student's first dose of this medication. _____ (Guardian's initials)

Number of tablets per dose: _____ mg per tablet: _____

Start Date: _____ End Date: _____

To be given on what days? _____

To be given at what time(s)? _____

How many doses are to be administered each day during school? _____

How many hours between each dose? _____

Special instructions: _____

Possible effects on learning and physical functioning: _____

Person requested to administer medication(s):

☐ School personnel: _____

☐ My child has permission to self-administer his/her inhalation medication and *certification from a healthcare provider has been submitted to the school. _____ *Parent's initials*

*Certification that the student has received instruction in and is capable of self-administering the medication in a responsible and secure manner is required from the student's healthcare provider. Certification is required once for each inhalation medication. --Tioga Public School policy

**MEDICATION MUST BE IN ORIGINAL BOTTLE WITH DOSAGE AND EXPIRATION DATE
CLEARLY MARKED.**

There should be no words scribbled out or whited-out on this form.

Parent/Guardian Authorization

I request/consent this medication to be given to my child in the manner specified herein. I give permission to school personnel to administer the medication. I understand that the administration of the medication will not be done by a nurse. I will notify the school immediately if my child's health status changes, or there is a change or cancellation of this medication.

In consideration of this authorization, the undersigned agrees to indemnify, defend, and save harmless the School Board, the individual members thereof and any school employees involved in the administration of medications to the above named student from any claims or liability for injury or damages, including but not limited to costs and reasonable attorney's fees, caused or claimed to be caused or to result from the administration of the above described medications.

Parent's signature: _____ Date: _____

Record of Medication Dispensed

Name of Student:

Name of Medication:

[illegible]

SEXUAL OFFENDERS ON SCHOOL PROPERTY

Definitions

For the purpose of this policy:

A *Sexual Offender* is a person defined as a sexual offender in NDCC 12.1-32-15 or is required to register under NDCC 12.1.-32-15.

A *Parent Sexual Offender* is a sexual offender who has either a parental or legal guardianship rights to a child attending a district school.

A *Nonparent Sexual Offender* is a sexual offender who has no parental rights or legal guardianship rights to a child attending a district school.

School Property means all real property within the perimeter of a district elementary, middle or high school site including all buildings, structures, and facilities, whether owned or leased by the school district.

Nonparent Sexual Offenders

A nonparent sexual offender is prohibited from entering school property except:

- a. When he/she is a qualified voter and is entering school property solely for the purpose of casting his/her vote.
- b. To attend an open meeting as defined in NDCC chapter 44-04.
- c. With prior written approval of the Superintendent for an approved purpose.
- d. When the nonparent sexual offender is a student of another educational institution and is attending classes on school property with the written approval of the Superintendent.

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.

Parent Sexual Offenders

Parent sexual offenders are prohibited from entering school property except for the purposes outlined in Section 1, and for the following reasons:

- e. To attend a conference to discuss his/her student's progress, placement, or individual education plan (IEP). This requires prior approval from the Superintendent at least 72 hours before the event or activity.
- f. To attend a school activity in which his/her child is participating. This requires prior approval from the Superintendent at least 24 hours before the event or activity.
- g. To transport his/her child to school. The parent sexual offender shall drop off and/or pick up the child on public right of way which enables the child to enter the school facility safely.
- h. Under other circumstances on a case-by-case basis, as determined by the Superintendent.

Student Sexual Offenders:

Parents or guardians of student sex offenders must notify the Superintendent that the student is a sexual offender prior to the student enrolling in or attending any pre K through 12 grade or the adult education program in the school district. The Superintendent shall determine the appropriate educational placement for student sexual 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. The Superintendent shall develop guidelines for managing each student sexual offender in district schools. If the Superintendent determines that, in the best interest of district schools, the student sexual offender should be placed in an alternative educational setting, the district shall pay for the costs associated with this placement.

An IEP team shall determine the educational placement of a student sexual offender with a disability. 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 that attends a district school. If the IEP team determines that the student sexual offender should be placed in an alternative educational setting, the District shall pay for the costs associated with this placement.

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.

Sexual offenders who receive permission to enter school property must immediately report to the individual or location designated in the Superintendent's written permission statement. The building principal may assign a chaperone to accompany the sexual offender while he/she is on school property. The only exceptions to these requirements are when a parent sexual offender transports his/her child or when a student sex offender receives permission to attend a district school in which case the guidelines developed for this individual shall apply.

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 of this policy does not excuse 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 will immediately revoke any privileges granted to the sexual offender under this policy.

End of Tioga PSD #15 Policy ACCA.....Amended: February 2018

CRITERIA FOR GRANTING PARENT OFFENDERS PRIVILEGES TO ENTER SCHOOL PROPERTY

The Superintendent may consider the following criteria and/or other relevant information when determining if a parent offender shall be granted privileges to enter school property for any purpose beyond those rights afforded by state and federal law:

1. The risk level assigned to the parent offender by the Bureau of Criminal Investigation. High risk and lifetime offenders will generally not be granted privileges to enter school property in excess of those provided in law. When the Superintendent deems it necessary to grant a high risk or lifetime offender privileges, the privileges will be limited in scope.
2. When available, the circumstances surrounding the crime/offense.
3. The age of the offender's victim. Parent offenders who have committed a crime/offense against a minor will generally not be granted privileges in excess of those provided in law. When the Superintendent deems it appropriate to grant these offenders privileges, the privileges may be limited in scope.
4. The age at which the offender committed the crime/offense.
5. The duration of time that has passed since the parent offender committed the crime/offense.
6. The nature of the activity, event, or purpose for which the parent offender has requested entry on to school property. The Superintendent shall take into account the level of supervision provided to district students and the level of supervision that the District will be able to provide, if any, to the parent offender during the time the offender has requested to be on school property.

The Superintendent may solicit the input of law enforcement officials when determining if a parent offender shall be granted privileges to enter school property beyond those rights afforded in law. These privileges will be granted in accordance with the district's sexual offender policy and may contain restrictions and prohibitions. The Superintendent may at any time, with cause, revoke these privileges.

End of Tioga PSD #15 Board Reg. ACCA-BRApproved: February 13, 2018

TECHNOLOGY, COMPUTER AND NETWORK FACILITIES ACCEPTABLE USE POLICY

The Board of Education is committed to the goal of having technology, computers and network facilities used in a responsible, efficient, ethical, educational and legal manner in accordance with the mission of the Tioga Public School District.

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

Acceptable uses of the network are activities which support teaching and learning. Network users are encouraged to use technology, computers and the Internet for purposes which meet their individual educational needs and take advantage of the computer and network functions;

Acceptable uses of technology, computers and the network include, but are not limited to:

- Tioga Public School and Tioga Community Library online catalogs
- NWEA MAP testing
- Network file storage
- Word processing and other software
- Electronic mail
- Accessing databases such as Grolier's Online and ODIN (Online Dakota Information Network)
- Accessing Internet resources such as web sites and United Streaming

Unacceptable uses of computers and the network include but are not limited to:

- Accessing Internet resources or visiting web sites deemed inappropriate by the staff and administrators of this District
- Violating the privacy rights of students and employees of this District
- Gaining unauthorized access to computer systems or files
- Copying print, software, music or video for use in violation of copyright law
- Inappropriate content in e-mail, other documents or online postings
- Using profanity, obscenity, or other language which may be offensive to another user
- Using the network for financial gain or for intentionally spreading computer viruses
- Downloading, storing, or printing graphics, videos, files or messages that are profane, obscene, or that use language that offends or tends to degrade others
- Taking and/or publishing digital images that are inappropriate, embarrassing or harassing to other students or district employees
- Intentionally bypassing the state-wide and/or district-based Internet filters

Cell phone use must be monitored during the school day.

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

End of Tioga PSD #15 ACDA Policy.....January 2017

STUDENT PERSONAL ELECTRONIC DEVICES AND USE POLICY

- *The Tioga Public Schools assumes no liability for damaged, destroyed, lost and or missing cellular phones or personal electronic devices. Students and their parents are responsible for the safe keeping of all such devices including: cellular phones, listening devices, tablets, computers, image taking devices, or any type of electronic game or similar device.*

The Tioga Public School District recognizes that personal portable electronic devices are an integral part of our daily lives and can have the potential to positively impact a student's educational experience. The District also recognizes that personal electronic devices can have a disruptive and potentially dangerous impact on the school environment and that there is a responsibility to manage the use of these devices. Part of our challenge is to teach and learn proper etiquette in electronic usage.

The determination as to whether or not students are permitted to use personal electronic devices is at the sole discretion of the building Principal or designee. Input from staff members should be considered. Decisions as to how and when students may be allowed to use personal electronic devices will generally be dependent upon the purpose for which the device is intended. Other factors including the potential for disruption, violation of privacy, and embarrassment, the type of device being used, and the age of the student(s) may be considered when making a determination whether or not personal electronic device use will be permitted. Students do not have free gratis in the use of devices, and staff members are authorized to ask students to put devices away and/or confiscate when violating this policy.

Central Elementary School Students who have brought a device with them to school are to leave them in their backpack or turn them in to their classroom teacher or office during school hours. Tioga High School students are encouraged to leave them in their vehicles or lockers during school hours.

Device Categories:

1. **Educational Purpose** - Any device for which the primary function is an educational tool to assist in the delivery of curriculum, such as personal computers; tablet devices; e-readers; or other approved devices having an appropriate educational application. Permission to use these devices may be granted to students for educational purposes during instructional time when approved by the instructor or during non-instructional times when approved by the building Principal or designee.
2. **Communication Purpose** – Any device for which the primary function is communication, such as cellular telephones; smartphones; or other messaging device. Permission to use these devices may be granted to students for communication purposes during non-instructional time when approved by the building Principal or designee.

Definitions:

1. **Instructional Time** – The time identified in the daily schedule when students are assigned to a specific teacher and classroom for instruction or other educational purpose. This includes study halls, special programs, lyceums, class meetings, or any other activity held during the regular school day.
2. **Non-Instructional Time** – The time before or after the regular school day, passing times between classes, recess, or during lunch.

All personal electronic devices, regardless of category, must be kept off during instructional time unless:

- a) The supervising teacher has granted explicit permission for its use;**
- b) It is used in an emergency that is threatening the safety of students, staff, or other individuals.**

Students are not allowed to use any electronic device, from any device category, in a manner that is deemed by school personnel to be disruptive or potentially disruptive to the school environment.

Disciplinary action may be taken against any student for using personal electronic devices in any manner that is disruptive to the educational environment, including using the device to harass, embarrass, threaten, or intimidate; to cheat; to signal others; or in any way violate student/staff member privacy or conduct rules.

All school acceptable use policies will apply to personal devices when used on school premises or when participating in school sponsored activities. (See Acceptable Use Policy)

Principals shall provide information regarding this policy in the student and teacher handbooks.

End of Tioga Public School District #15 ACDA-AR.....Reviewed January 2017

BULLYING POLICY

The Tioga School District is committed to providing all students with a safe and civil school environment in which all members are treated with dignity and respect. Bullying of or by a student or school staff member is against federal, state, and local policy and is not tolerated by the Board. Bullying behavior can seriously disrupt the ability of the district to maintain a safe and civil environment, and the ability of students to learn and succeed. Therefore, it is the policy of the state and the school district that students and school staff members shall not engage in bullying behavior while on school property.

Definitions

For the purposes of this policy:

- *Bullying* is defined in NDCC 15.1-19-17 as:
 - a. Conduct that occurs in a public school, on school district premises, in a district owned or leased school bus or school vehicle, or at any public school or school district sanctioned or sponsored activity or event 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 premises, in a district owned or leased school bus or school vehicle, or at any public school or school district sanctioned or sponsored activity or event 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.
 - c. Conduct received or sent by a student through the use of an electronic device while the student is outside a public school, off school district owned or leased property and which:
 - 1) Places the student in actual and reasonable fear of:
 - Harm, or
 - Damage to property of the student;
 - 2) Is so severe, pervasive, or objectively offensive the conduct substantially interferes with the student's educational opportunities or substantially disrupts the orderly operation of the public school.

Conduct includes the use of technology or other electronic media (e.g. cyberbullying).

- *Cyberbullying* is defined as the use of any electronic communication device to harass, intimidate, or bully a student or school staff member.
- *Electronic communication* is defined in NDCC 12.1-17-07(5) as a transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo-electronic, or photo-optical system.
- *Protected status* are classifications/characteristics protected from discrimination by NDCC 14-02.4-01 and federal law. The following statuses are protected: race, color, religion, sex, national origin, age, disability (physical or mental), and status with regard to marriage or public assistance.
- *School property* is defined in NDCC 15.1-19-10(6)(b) as all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by a school district, and the site of any school-sponsored event or activity.
- *School-sanctioned activity* is defined as an activity that:
 - a. Is not part of the district's curricular or extracurricular program; and
 - b. Is established by a sponsor to serve in the absence of a district program; and
 - c. Receives district support in multiple ways (i.e., not school facility use alone); and
 - d. Sponsors of the activity have agreed to comply with this policy; and
 - e. The District has officially recognized through board action as a school- sanctioned activity.
- *School-sponsored* activity is an activity that the District has approved through policy or other board action for inclusion in the district's extracurricular program and is controlled and funded primarily by the District.
- *School staff* include all employees of the Tioga School District 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 on school property a student or school staff member may not:

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

Reporting Procedures for Alleged Policy Violations

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

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

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

- a. Completing a written complaint form (ACEA-E4). A complainant will have the option of including his/her name on this form or filing it anonymously. The District will place the form in a variety of locations throughout the school and should inform students and staff of these locations. The form may be returned to any school staff member, filed in a school building's main office, or placed in a designated drop box located in each school.
- b. Complete and submit an online complaint form. A complainant will have the option of including his/her name on the form or submitting it anonymously.
- c. File an oral report with any school staff member.

Bullying may be a repeated, or, in rare cases, a one-time exposure to deliberate, negative behavior by one or more individuals that is unprovoked. Single incidents and conflicts between two or more individuals do not automatically constitute bullying behavior. Districts should investigate each situation to determine if the alleged behavior meets this policy's definition of bullying. If the misconduct does not meet this policy's definition of bullying, it may be addressed under other district disciplinary policies.

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

Documentation & Retention

The District shall develop a form to report alleged violations of this policy (ACEA-E3). The form should be completed by school staff when they:

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

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

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

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

Report forms and all other documentation related to an investigation of an alleged violation of this policy shall be retained by the District for six years after a student turns 18 or graduates from high school, whichever is later.

Investigation Procedures

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

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

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

Reporting to Law Enforcement & Others Forms of Redress

Law enforcement must be notified by a school administrator or Board President if there is a reasonable suspicion that a bullying incident constituted a crime on or off school district property. Nothing in this policy shall prevent a victim/their family from seeking redress under state and federal law.

Disciplinary & Corrective Measures

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

1. Require the student to attend detention.
2. Impose in- or out-of-school suspension or recommend expulsion. Due process procedures contained in the district's suspension and expulsion policy shall be followed.
3. Recommend alternative placement. This recommendation shall be submitted to the Superintendent for approval or denial. The Superintendent may approve such recommendations only if the student has been given notice of the charges against him/her and an opportunity to respond. Alternative placement of special education students will be handled in accordance with applicable policy.

4. Create a behavioral adjustment plan.
5. Refer the student to a school counselor.
6. Hold a conference with the student's parent/guardian and classroom teacher(s), and other applicable school staff.
7. Modify the perpetrator's schedule and take other appropriate measures (e.g., moving locker) to minimize contact with the victim.
8. If applicable, contact the administrator of the website or social media platform on which the bullying occurred to report it.

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

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

Victim Protection Strategies

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

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

Dissemination & Education

The District shall review and revise this policy as it determines necessary. A copy of this District bullying policy and any amendments must be filed with the Department of Public Instruction.

The District shall place this policy, in its entirety, in student and staff handbooks and ensure that it is explained and discussed with its students each school year. The District shall also develop and implement bullying prevention programs for all students and staff professional development activities. School administration may develop guidelines to assist students and staff with identifying bullying conduct.

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

- AAC-BR, Discrimination & Harassment Grievance Procedure
- AAC-E, Filing a State or Federal Discrimination & Harassment Complaint
- ACEA-E1, Bullying Policy Adoption & Dissemination Checklist
- ACEA-E2, Bullying Reporting Guidelines
- ACEA-E3, Student Reporting Form
- ACEA-E4, Staff Reporting Form
- ACEA-E5, Bullying/Harassment Investigation Protocol
- DE, Staff Code of Conduct
- FF, Student Conduct

End of Tioga PSD #15 Policy ACEA.....Amended: August 2019

BULLYING POLICY ADOPTION & DISSEMINATION CHECKLIST**Adoption Procedure**

- ☐ Identify parents, school district employees, volunteers, students, school district administrators, law enforcement personnel, domestic violence sexual assault organizations as defined by subsection 3 of section 14-07.1-01, and community representatives to be involved in policy development.
NOTE: Law requires that each of the parties be involved in policy development.

- ☐ Identify method to involve the above groups in the bullying policy development. One suggested method would be to send the proposed bullying policy to these groups and ask for their written input by a specific deadline. Document the date that each group was contacted to participation in the bullying policy development and document any group that could not or did not participate.

☐ Parents, date contacted: _____

Provided input: ☐ Yes ☐ No

If yes, date(s): _____

☐ School employees, date contacted: _____

Provided input: ☐ Yes ☐ No

If yes, date(s): _____

☐ Volunteers, date contacted: _____

Provided input: ☐ Yes ☐ No

If yes, date(s): _____

☐ Students, date contacted: _____

Provided input: ☐ Yes ☐ No

If yes, date(s): _____

☐ School administrators, date contacted: _____

Provided input: ☐ Yes ☐ No

If yes, date(s): _____

☐ Law enforcement, date contacted: _____

Provided input: ☐ Yes ☐ No

If yes, date(s): _____

☐ Domestic violence sexual assault organizations, date contacted: _____

Provided input: ☐ Yes ☐ No

If yes, date(s): _____

☐ Community representatives, date contacted: _____

Provided input: ☐ Yes ☐ No

If yes, date(s): _____

- ☐ Have the Board perform a first and second reading of bullying policy at a regular or special meetings (typically at two separate meetings depending on local policy).

Date of first reading: _____

Date of second reading: _____

After Adoption

- ☐ Send adopted policy to Department of Public Instruction. Policies can be emailed to: vfischer@nd.gov.

Date: _____

- ☐ Ensure that policy is explained to and discussed with district students.

Date: _____

- ☐ Make the policy available in student and personnel handbooks.

Date: _____

Review and revise policy as necessary and send a copy of any board adopted bullying policy revision to DPI using the address above.

End of Tioga PSD #15 Exhibit ACEA-E1.....January 2017

BULLYING REPORTING GUIDELINES

The following are signs that may indicate that a student has become a victim of prohibited behavior contained in the district's bullying policy. The examples serve as guidelines only and in no way encompass all indicators that a student has become victim of bullying. Students with knowledge/ reasonable suspicion of any conduct indicating a violation of the bullying policy should report it in accordance with the procedure in the bullying policy, and school staff with knowledge/reasonable suspicion of such conduct shall report it in accordance with the procedure in the bullying policy.

Reporting Guidelines

Students should file a report under the bullying policy and staff shall file such a report when there is:

1. Any report by a student that s/he is concerned about his/her safety as a result of intimidation, hostility, or actions by a student or staff member. Such students often avoid certain locations in the school to limit contact with a bully (e.g., locker rooms, restrooms, parking lots).
2. Any report by a student that his/her property has been damaged or s/he is concerned that his/her property will be damaged as a result of intimidation, hostility, or actions by a student or staff member.
3. Any indication that a student is being deprived of educational opportunities (e.g., grades rapidly decline, a pattern of absenteeism, avoids certain locations in the school.)
4. Any indication of verbal, nonverbal, physical aggression, intimidation, or hostility based on a protected status, i.e., race, color, religion, sex, national origin, age, disability (physical or mental), or status with regard to marriage or public assistance.
5. A student has filed a report under the bullying policy or participated as a witness in a bullying investigation and has since become the subject of verbal, nonverbal, or physical aggression or hostility by other students or staff.

End of Tioga PSD #15 Exhibit ACEA-E2.....January 2017

BULLYING PREVENTION AND INTERVENTION INCIDENT REPORTING FORM

Tioga Public Schools

Bullying Prevention and Intervention Incident Reporting Form

1. Name of Person Filing Report

2. Check whether you are the: Target of the behavior Reporter (not the target)

3. Check whether you are a: ☐ Student ☐ Staff Member
☐ Parent ☐ Administrator Other

_____ Your Telephone Number:

4. If you are a student, which school: _____ Grade: _____

5. If you are a staff member, which school: _____

Information about the Incident

Name of Target: _____ Name of Aggressor: _____ Date of
Incident: _____ Time When the Incident
Occurred: _____ Location of Incident: _____

Witnesses (list people who have witnessed the incident or have information about the incident):

Name: _____	<input type="checkbox"/>	<input type="checkbox"/>		
Name: _____	<input type="checkbox"/> Student	<input type="checkbox"/> Staff	<input type="checkbox"/> Other	<input type="checkbox"/>
Name: _____	<input type="checkbox"/> Student	<input type="checkbox"/> Staff		Other
Name: _____	<input type="checkbox"/> Student	<input type="checkbox"/> Staff	<input type="checkbox"/> Other	<input type="checkbox"/>
Name: _____	Student	Staff		Other

Describe the details of the incident (including names of people involved, what occurred, and what each person did and said, including specific word used). Use additional paper if necessary.

**For Administrative Use
Only**

Person filing this report: _____ Date: _____

Form given to: _____ Position: _____ Date: _____

Signature: _____ Date received: _____

INVESTIGATION

Investigator(s) : _____ Position(s): _____

Interviews:

<input type="checkbox"/> Interviewed Aggressor	Name: _____	Date: _____
<input type="checkbox"/> Interviewed Target	Name: _____	Date: _____
<input type="checkbox"/> Interviewed Witnesses	Name: _____	Date: _____
	Name: _____	Date: _____
	Name: _____	Date: _____
	Name: _____	Date: _____

Any prior documented incidents by the aggressor? ☐ Yes ☐ No

If yes, have incidents involved target or target group previously? ☐ Yes ☐ No

Any previous incidents with findings of Bullying? ☐ Yes ☐ No

Summary of Investigation:

Contacts:

<input type="checkbox"/> Target's parent/guardian	Date: _____
<input type="checkbox"/> Aggressor's parent/guardian	Date: _____
<input type="checkbox"/> Law Enforcement	Date: _____

Action Taken

<input type="checkbox"/>	Loss of privileges	Detention	<input type="checkbox"/>	Suspension	<input type="checkbox"/>	Counseling
<input type="checkbox"/>	Community Service	Education	<input type="checkbox"/>	Outside Counseling	<input type="checkbox"/>	Other

Follow-up With Target: Scheduled for:_____Initial and date when completed

_____Follow-up With Aggressor:

Scheduled for:_____Initial and date when completed

Signature and Title:_____Date:_____

BULLYING/HARASSMENT INVESTIGATION PROTOCOL

Date of Referral: _____ Investigation must be completed by: _____

Name of Alleged Victim: _____

Name of Alleged Perpetrator: _____

Alleged Victim's Date of Birth: _____ Filed Until: _____

1. PROTECTED CLASS

- Guiding Question: Is the alleged policy violation (either actual or perceived) based on a protected class (race/national origin, religion, sex, disability, sexual orientation)?
Examples: including, but not limited to, slurs, taunts, jokes insults, demeaning/ stereotyping comments, cartoons, and/or pictures, spreading rumors or any other behavior targeted at a student of an actual or perceived protected class.

☐ Yes _____

☐ No _____

If yes, follow your district's harassment-discrimination procedure

2. DETERMINATION OF LEVEL OF NECESSARY INVESTIGATION

- Guiding Question: Is further investigation warranted based on the nature of the alleged violation? Considering factors: Include, 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.

☐ Rationale: _____

☐ NA _____

3a. POTENTIAL INVESTIGATORY STEPS (DETERMINED BY ADMINISTRATOR)

- Investigatory Step
- Investigatory Step
- Investigatory Step
- Investigatory Step
- Additional Comments

3b. BULLYING DEFINITION

- Guiding Question: Does the alleged incident meet the bullying definition as stated in NDCC 15.1-19-17?
 - Yes_____
 - No_____

4a. DISCIPLINARY AND CORRECTIVE MEASURES (IF MEETING DISTRICT BULLYING DEFINITION)

- Action Taken
- Action Taken
- Action Taken
- Additional Comments

4b. DISCIPLINARY AND CORRECTIVE MEASURES (IF NOT MEETING DISTRICT BULLYING DEFINITION)

- Guiding Question: Does the misconduct meet the parameters of other district discipline policies?
 - Yes_____
 - No_____
- Action Options 1
- Action Options 1
- Action Options 1
- Action Options 2
- Action Options 2
- Action Options 2
- Additional Comments

5. STAFF MEMBER INVOLVEMENT

- Guiding Question: Is the perpetrator a staff member?
 - Yes_____
 - No_____
- Strategies
- Strategies
- Strategies
- Strategies
- Additional Comments

7. NOTIFICATION OF AUTHORITIES

- Guiding Question: Do you have reasonable suspicion that a crime has taken place?
 - Yes_____
 - No_____

INVESTIGATOR REPORT

For Administrative Use Only

Person filing this report: _____ Date: _____

Form given to: _____ Position: _____ Date: _____

Signature: _____ Date Received: _____

INVESTIGATION

Investigator(s): _____ Position(s): _____

Interviews:

☐ Interviewed Aggressor Name: _____ Date: _____

☐ Interviewed Target Name: _____ Date: _____

☐ Interviewed Witnesses Name: _____ Date: _____

Name: _____ Date: _____

Name: _____ Date: _____

Name: _____ Date: _____

Name: _____ Date: _____

Any prior documented incidents by aggressor? ☐ Yes ☐ No

If yes, have incidents involved target or target group previously? ☐ Yes ☐ No

Any previous incidents with findings of Bullying? ☐ Yes ☐ No

Summary of Investigation:

Contacts:

☐ Target's parent/guardian

Date: _____

☐ Aggressor's parent/guardian

Date: _____

☐ Law Enforcement

Date: _____

Action Taken:

☐ Loss of privileges

☐ Detention

☐ Suspension

☐ Counseling

☐ Community Service

☐ Education

☐ Outside Counseling

☐

Other _____

Follow-up with Target: Scheduled for: _____ Initial and date when completed _____

Follow-up with Aggressor: Scheduled for: _____ Initial and date when completed _____

Signature and Title: _____ Date: _____