

# Oldham-Ramona School District #39-5

## Policies and Regulations Code: J – Students

### JB – EQUAL EDUCATIONAL OPPORTUNITIES

All students of the district will have equal educational opportunities. The Board will not discriminate on the basis of race, color, creed, religion, sex, handicap, economic status, national origin, or ancestry in its policies or programs.

To accomplish this policy on nondiscrimination, the Board will make every effort to provide all students equal access with respect to admission or membership in school-sponsored organizations, clubs, or activities; access to facilities; distribution of funds; academic evaluations; or any other aspect of school-sponsored programs or activities.

The Board recognizes, however, that in implementing this policy children vary widely in capabilities, interests, and social and economic background, and that no two children can be treated exactly alike if the fullest development of each is to be achieved.

LEGAL REFS.: Civil Rights Act of 1964, as amended in 1972, Title VI; Title VII Executive Order 11246, 1965, amended by Executive Order 11375 Education Amendments of 1972; Title IX (P.L. 92-318); 45 CFR, Parts 81, 86 (Federal Register, June 4, 1975, August 11, 1975); The American Disabilities Act, July 26, 1990; Education for All Handicapped Children Act (P.L. 94-142); Section 504 of the Vocational Rehabilitation Act of 1973; SDCL 13-28-5; 13-28-6; 13-28-14.

ADOPTED: 11/2019  
AMENDED:  
REVIEWED:

# Oldham-Ramona School District #39-5

## Policies and Regulations Code: J – Students

### JEAA – STUDENTS ALTERNATIVE INSTRUCTION

Children of compulsory school age must regularly attend some public or non-public school, unless excused from school attendance. Upon filing of an application with a school official from the parent or guardian of the child because the child is otherwise provided with alternative instruction for an equivalent period of time, as in the public schools, in the basic skills of language arts and mathematics, the child shall be excused, without the necessity of school board action. Failure to provide instruction is grounds for the school board, upon thirty days' notice, to revoke the excuse from school attendance. The secretary of the Department of Education may inspect the attendance records and records showing academic progress or an alternative education program with fourteen days' written notice if the secretary has probable cause to believe the program is not in compliance with this section.

The request for alternative instruction must be filed annually.

All requests for alternative instruction must be in writing. The form for requests for a child to be provided with alternative instruction is provided by the South Dakota Department of Education.

LEGAL REFS.:      SDCL 13-27-1  
                         SDCL 13-27-29  
                         SDCL 13-27-3  
                         SDCL 13-27-7  
                         SDCL 13-27-8  
                         SDCL 13-27-9

ADOPTED:            01-2007  
AMENDED:           12-2016  
REVIEWED:          11/2019

# Oldham-Ramona School District #39-5

## Policies and Regulations Code: J – Students

### JEC – SCHOOL ADMISSIONS

In accordance with state law, all persons five (5) years old by September 1<sup>st</sup> and under twenty-one (21 years of age and all veterans (except dishonorably discharged veterans) who are residents of the district will be eligible to attend the public schools free of charge, if they have not already received a high school diploma.

Upon registration, all new students will be required to present:

1. Proof of date of birth through a birth certificate or affidavit in lieu of birth certificate.
2. Record of immunizations and a health certificate from a licensed physician.
3. Proof of School District residency, if requested.

LEGAL REFS.:      SDCL 13-27-1  
                         SDCL 13-27-1.1  
                         SDCL 13-27-3  
                         SDCL 13-27-3.1  
                         SDCL 13-27-7; 13-27-8; 13-27-9  
                         SDCL 13-27-14  
                         SDCL 13-28-5  
                         SDCL 13-28-7.1  
                         SDCL 13-28-14  
                         SDCL 13-28-21

ADOPTED:          01-2007  
AMENDED:          12-2016  
REVIEWED:          12/2020

# Oldham-Ramona School District #39-5

## Policies and Regulations Code: J – Students

### JECA-Admission of Resident Students

The legal residence of a student, for the purpose of claiming free school privileges under the South Dakota Constitution will mean the legal residence or domicile of the student's parents or legal guardian.

The parents or legal guardian may not establish residency in a district for the sole purpose of obtaining free schooling in that district.

A child's school residence may not change during the school fiscal year unless the child ceases to be enrolled in the school of the district.

When a child is residing in a foster home on a permanent or temporary basis, the child has school residence in the district where the foster home is located.

LEGAL REFS.:      SDCL 13-28-9  
                         SDCL 13-28-10

ADOPTED:            12/2020  
AMENDED:  
REVIEWED:

# Oldham-Ramona School District #39-5

## Policies and Regulations Code: J – Students

### JECAA- Students Enrolling from Alternative Instruction and Unaccredited Schools

The Oldham-Ramona School District will accept students transferring from non-accredited schools subject to the following conditions and guidelines:

In grades K-8:

- A standardized achievement test may be administered to the transfer student. The administration and evaluation of the test will be done by the principal and appropriate staff of the school to which the student is seeking admission.
- Based on the evaluation of the standardized test, the principal will make an appropriate placement. The student's placement may not be in a grade level higher than warranted by the student's chronological age, assuming entry into the first grade at age six and annual grade advancement thereafter. After initial placement, the student may be advanced according to the student's demonstrated performance.

In grades 9-12:

- Students seeking enrollment will first be temporarily placed in classes based on an interview with the principal.
- Students seeking enrollment in the secondary program will be placed in English and mathematics courses as based on the level of achievement demonstrated by a standardized achievement test or course exit exams. The principal and appropriate staff will place the student in these courses based on their evaluation of the given assessment.
- Students seeking enrollment in the secondary program will be placed in other subjects/classes based on a review of their transcripts. The principal and appropriate staff will use the following guidelines for appropriate placement.
  - No credit will be granted for any science course which is normally a laboratory course, unless clear documentation is provided demonstrating that the student has satisfactorily participated in laboratory experiences which parallel or are consistent with those required in the district's science courses.
  - In all other subjects, the student will be interviewed and may take a departmental exit exam for each course. After the exam and interview with the student, the department staff will recommend to the building principal if credit will be granted for the course.
  - Student completed work and documentation may assist in the placement decision and credit awarded by the principal.
- Students who do not have all of their credits from a state accredited school will not be considered for the Valedictorian or Salutatorian award at Oldham-Ramona High School. Students who have completed at least six semesters at a state accredited high school for grades 9-12 will be allowed to graduate with honors if they meet the criteria. Those students who do not have all of their credits in grades 9-12 from a state accredited high school with a grade of A-D will not be ranked in the class ranking.

- A student whose previous high school enrollment has been entirely in non-accredited alternative schools pursuant to SDCL 13-27-3 may receive a high school diploma from Oldham-Ramona High School only if the student has met all graduation requirements of the school district as stated in the high school handbook and has been enrolled as a full-time student at Oldham-Ramona High School for the full senior year.

The following procedure shall be used to address an appeal of the Principal's decision.

1. The appeal shall be in writing. The appealing party must attach the Principal's written decision.
2. In the Superintendent's sole discretion, the Superintendent may (a) meet and discuss the matter with the Complainant, (b) meet and discuss the matter with the Complainant and Principal, or (c) meet and discuss the matter with the Principal.
3. Within fourteen (14) calendar days from the date the appeal was filed with the Superintendent, the Superintendent shall render a decision in writing. The time frame for rendering a decision by the Superintendent may be extended by the Superintendent for good cause and upon written notification to the Complainant and Principal; the notification shall identify the reason for the extension and the date on or before which the decision shall be rendered. The Complainant and Principal shall receive copies of the decision. The Superintendent may uphold, reverse or modify the Principal's decision. The Superintendent may also refer the matter back to the Principal for further investigation. The Principal may uphold, modify or reverse his or her initial decision. After a matter has been referred back to the Principal, and the Principal rendered a second decision, that decision may also be appealed to the Superintendent.
4. The Superintendent's decision may be appealed by the Complainant to the Secretary of Education within (10) ten calendar days of receipt of the Superintendent's written decision.

LEGAL REFS.:      SDCL 13-27-1  
                         SDCL 13-27-29  
                         SDCL 13-27-3  
                         SDCL 13-28-21

ADOPTED:            12/2019  
AMENDED:  
REVIEWED:

# Oldham-Ramona School District #39-5

## Policies and Regulations Code: J – Students

### JECB – OPEN ENROLLMENT

State law provides nonresident parents and students an opportunity to apply for enrollment within the District. It also allows resident parents and students an opportunity to apply for enrollment in an attendance center within the District other than that to which the student has been assigned.

The parent or legal guardian of a South Dakota kindergarten through twelfth grade student, or a student who is at least 18 years old, and resides in another school district (i.e., nonresident student), and who wishes to enroll the student in the District, or the parent or legal guardian of a South Dakota kindergarten through twelfth grade student, or a student at an attendance center within the District other than that to which the student has been assigned, must apply to open enroll in the School District.

1. Nonresident student open enrollment: The District shall grant a request for a transfer into the district of a child who is a resident of another school district unless the transfer would result in an inability to provide a quality educational program based on criteria established by the District pursuant to statute and this policy.
2. Nonresident alternative instruction student open enrollment: The District shall grant a request to admit into the district a child who is a resident of another school district and who is receiving alternative instruction in the resident district pursuant to law, unless admitting the nonresident child would result in an inability to provide a quality educational program based on criteria established by the District pursuant to statute and this policy.
3. Resident student open enrollment to different attendance center: The District shall grant a request from a resident of the District for a student transfer to an attendance center within the District other than that to which the student has been assigned unless the transfer would result in an inability to provide a quality educational program based on criteria established by the District pursuant to statute and this policy.

#### A. GENERAL RULES:

1. Transfers from another school district into the District may only take place prior to the last Friday in September during the first semester of any school year, and prior to the last Friday in January during the second semester of any school year. If the District approves an application for such a transfer after the deadline in the first semester, the transfer will occur at the start of the second semester. If the District approves an application for such a transfer after the deadline in the second semester, the transfer will occur at the start of the following school year. The deadlines for transfer do not apply if:
  - a. A student is seeking to transfer to an alternative school or a specialized nonpublic educational program;
  - b. A student enrolls in a school district after the deadline in either semester; or
  - c. The District's Superintendent determines that special circumstances exist and allows a student to transfer into the District after the deadline.
2. All nonresident requests for open enrollment into the District must be submitted to the District's Superintendent on the official application form provided by the South Dakota Department of Education.
3. Nonresident student open enrollment applications to attend school within the District will be reviewed and acted upon in the order in which they are received. However, if the applicant is a sibling of a student

accepted into and currently enrolled in the District, that student's application shall take priority over all other applications.

4. The Superintendent shall either approve or deny the application for open enrollment. A decision of the Superintendent to deny an open enrollment application may be appealed to the School Board. A decision of the School Board to deny student's application for open enrollment may be appealed to the circuit court pursuant to State Law.<sup>(a)</sup>
5. Decisions to accept or reject open enrollment applications will be based on the criteria listed in "Open Enrollment Application Standards" (Section C).
6. Students who "Open Enroll" will not be allowed to attend school for up to five school days after completing all open enrollment paperwork including request for transfer of records. During this time, all student records will be request. These items include copy of birth certificate, vaccination record, transcript, most recent class load, etc.
7. The applicant and the resident school board will be notified within five days of the decision.
8. An application may be withdrawn by the applicant prior to the approval of the request and upon written notification to the District's Superintendent.
9. Once approved by the District, the approved application serves as the applicant's notice of intent to enroll in the District and obligates the student to attend school within the District during the school year, unless the affected school board or boards agree in writing to allow the student to transfer back to the resident district or assigned school, or unless the parents, guardians, or emancipated student change residence to another district. A decision by either school board to deny a request to return to the resident school district may be appealed to circuit court pursuant to law.
10. Once enrolled under open enrollment in the District, the student may remain enrolled and is not required to resubmit annual applications.
11. The District will provide transportation to non-resident students as allowed by law and where possible with established bus routes.
12. The District shall accept credits for any course completed in any other accredited school district but shall award a diploma to a nonresident student only if the student satisfactorily meets the District's graduation requirements.
13. If two or more nonresident students from the same family, residing I the same household, request open enrollment into the District, all requests from that family must be either approved or denied and the District shall not deny an application if doing so would result in children from the same household enrolling in different school districts. However, if the District cannot provide an appropriate education for a child in need of special education or special education and related services, the District may deny that child's application for open enrollment.
14. Any student under long term suspension or expulsion will not be allowed to open enroll until the suspension or expulsion is completed.<sup>(c)</sup>
15. The rules of the South Dakota High School Activities Association will govern eligibility for participation in activities.

#### **B. OPEN ENROLLMENT OF SPECIAL EDUCATION STUDENTS:**

1. A request to transfer a student in need of special education or special education and related services may be granted only if, after a review of all relevant student education records and direct communication with the student's parent or guardian and representatives of the resident district, the School District determines that the district can provide an appropriate instructional program and facilities, including transportation if required as a related service, to meet the student's needs. If the request to transfer is granted, the district is responsible for the provision of a free appropriate public education for the student in need of special education or special education and related services. If the student requires transportation as a related service, the district shall provide or ensure the provision of transportation within the boundaries of the District.
2. If the District is not able to confirm that the District can provide an appropriate instructional program, facilities, and transportation if necessary, based on the records review and communication with the student's parent or guardian and representatives of the resident district, the District shall initiate an individual education program team meeting consisting of representatives from the District, the resident

school district and the parents or guardians, to determine whether the District can provide an appropriate instructional program, facilities, and transportation necessary.

3. A request to transfer a student in need of special education or special education and related services may be denied only pursuant to the "Open Enrollment Application Standards" (Section C) or if the individual education program team as set forth in "Open Enrollment of Special Education Students" (Section B.2.) determines that the District cannot provide an appropriate instructional program and facilities, including transportation, to meet the student's needs.
4. If a parent or guardian of a student in need of special education or special education and related services request to transfer the student back to the resident district, the affected school boards must agree in writing to allow the student to transfer back to the resident district or unless the parents, guardian, or emancipated student change residence to another district.
5. If two or more students from the same family residing in the same household request open enrollment and the District determines it can provide an appropriate special education or special education and related services for the special education student(s), the applications shall be approved subject to consideration of the Open Enrollment Application Standards (Section C). However, if the District cannot provide appropriate special education or special education and related service for one or more of the students in need of special education or special education and related services, the District may deny the application for open enrollment related to the individual special education student(s).
6. If it is determined that a parent or guardian of a student, or an emancipated student, in need of special education or special education and related services submitted a request for an open enrollment transfer, but did not indicate on the application that the student has an IEP and needs special education services, as required on the form, any approval by the District of the open enrollment transfer application will be deemed void.

### **C. OPEN ENROLLMENT APPLICATION STANDARDS: <sup>(e)</sup>**

The following standards will be used to accept or reject nonresident student open enrollment applications to enroll within the District and resident student applications to attend an attendance center within the District other than that to which the student was assigned.

Open enrollment requests will be granted on a space available basis at the time the request is considered. The approval of an open enrollment request may not result in exceeding the average student to teacher ratio, program capacity, or building capacity criteria listed below. The ratios listed for grade level student to teacher ratios are for open enrollment purposes only and actual class sizes may be greater than the capacity listed below because of students residing within the school district and school attendance center area.

- Program maximum enrollment will vary, especially within the area of Special Education. The district may deny or accept the open enrollment of identified SPED students based on the particular diagnosis category and related services/support required. Open enrollment of a special education student will not be approved if the students cannot be accommodated at current staffing levels or the program is at capacity
- Classes-may have grade combinations that exceed regular program maximum enrollment. For example, elementary may combine grades to have more than 20 students in a PE Class or other non-academic area.
- Grade Levels—Each class/grade level K-12 shall maintain an enrollment at 20 students or fewer.

Notes:

(a) SDCL 13-28-43 says the School Board or the Board's designee may approve or disapprove the application. ASBSD recommends that the Superintendent be designated by the Board as most school boards meet only once a month on the second Monday of the month.

(b) For nonresident open enrollments, SDCL 13-28-45 states that the parents/guardians are responsible for transportation, without reimbursement, of the student but the District may provide the transportation, and if provided, the District may charge a reasonable fee if the student uses District provided transportation. SDCL 13-28-

45 also says school boards of both the receiving school district and the resident school district must annually approve the pick-up locations for those students within any incorporated municipality but this requirement does not apply to any school district defined as a sparse school district pursuant to § 13-13-78.

(c) SDCL 13-32-4.3 states that if a student is under suspension or expulsion in a South Dakota school district, the student may not enroll in any other school district until the suspension or expulsion has expired, and also that the superintendent of a school district may prohibit a student from enrolling in that school district if the student is under suspension or expulsion in a school in another state or in a nonpublic school in this state.

(e) SDCL 13-28-44 states that “Standards shall be limited to the capacity of a program, class, grade level, and school building operated by the board and the pupil/teacher ratio. Discrimination based on race, gender, religious affiliation, or disability is prohibited” a school board may or may not want to have capacity of the program, class or grade level specifically identified in the school district policy.

LEGAL REFS.:       SDCL 13-28-40  
                          SDCL 13-28-41  
                          SDCL 13-28-41.1  
                          SDCL 13-42.1  
                          SDCL 13-43; 13-44; 13-45; 13-46; 13-47; 13-48  
                          SDCL 13-32-4.3  
                          SDCL 13-46

ADOPTED:           01-2007  
AMENDED:           10-2016  
AMENDED:           12/2019

# Oldham-Ramona School District #39-5

## Policies and Regulations Code: J – Students

### JECE- STUDENT WITHDRAWAL FROM SCHOOL

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

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

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

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

Students who are 18 years of age, and who have parent or guardian written approval to withdraw, may withdraw from school. Each student will be informed of his or her right to be readmitted to school upon request.

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

LEGAL REFS.: SDCL 13-27-1  
SDCL 13-27-1.1

ADOPTED: 06/2020  
AMENDED:  
REVIEWED:

# Oldham-Ramona School District #39-5

## Policies and Regulations Code: J – Students

### JED- STUDENT ABSENCES AND EXCUSES

Policies relating to student absences and excuses are contained in the student handbook which is given to the students and is on file in the office of the principals as well as on file in the office of the superintendent.

LEGAL REFS.: SDCL 13-27-1  
SDCL 13-27-1.1

ADOPTED: 02/2020  
AMENDED:  
REVIEWED:

# Oldham-Ramona School District #39-5

## Policies and Regulations Code: J – Students

### JEDA- TRUANCY

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

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

The district truancy officer shall make and file truancy complaints, and any teacher, school officer or any citizen may make and file a truancy complaint before the circuit court judge.

LEGAL REFS.:      SDCL 13-27-14  
                         SDCL 13-27-16  
                         SDCL 13-27-18  
                         SDCL 13-27-19  
                         SDCL 13-27-20  
                         SDCL 13-27-21  
                         SDCL 26-7A (10, 11, 126, 127, 128, 129)

ADOPTED:            02/2020  
AMENDED:  
REVIEWED:

# Oldham-Ramona School District #39-5

## Policies and Regulations Code: J – Students

### JEDB- STUDENT DISMISSAL PRECAUTIONS

Students in any school, grade, or class may not be dismissed before the regular hour of dismissal except with the approval of the Superintendent or the Superintendent's designee.

A teacher may not permit any individual student to leave school prior to the regular hour of dismissal except by permission of the principal.

No student will be permitted to leave school prior to the dismissal hour in the company of anyone other than a school employee, or parent of the child, unless the permission of the parent has been first secured. If a policeman or court official requests the dismissal of a pupil during school hours, he or she must have a warrant or written request by parents before the student is dismissed.

LEGAL REFS.:

ADOPTED: 02/2020

AMENDED:

REVIEWED:

# Oldham-Ramona School District #39-5

## Policies and Regulations Code: J – Students

### JEF- RELEASE TIME FOR RELIGIOUS PRACTICE

The Board will permit students, with the written consent of their parents, to receive moral or religious instruction at a suitable place away from the school, as designated by the religious group.

Students will be excused from school for such purposes no more than one hour per week.

The Superintendent is instructed to establish regulations, governing the attendance of students and their reporting for such instruction.

Students enrolled in the district normally will not be released from school for private instruction in music, gymnastics, or other activity. The discretion of the building principal, however, may be exercised in unique or unusual circumstances.

LEGAL REFS.: SDCL 13-33-10

ADOPTED: 02/2020

AMENDED:

REVIEWED:

# Oldham-Ramona School District #39-5

## Policies and Regulations Code: J – Students

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LEGAL REFS.: SDCL 13-33-10

ADOPTED: 02/2020

AMENDED:

REVIEWED:

# Oldham-Ramona School District #39-5

## Policies and Regulations Code: J – Students

### JFA – STUDENT DUE PROCESS RIGHTS

Discipline in the schools is critical to the provision and implementation of public education. The Board and school administrators have the legal authority to deal with disruptive students and student misconduct. The United States Constitution and The South Dakota Constitution entitle all students to due process when they are subjected to deprivation of a property right. The Board recognizes the importance of safeguarding a student's constitutional rights.

Due process is an established course for judicial proceedings or other governmental activities designed to safeguard the legal right of the individual.

A student whose conduct may warrant suspension or expulsion shall be provided with appropriate due process. Due process, in the context of the administrative proceedings carried out by school authorities, refers to the notification and hearing procedures established by the South Dakota Board of Education

Due process procedures shall be fair and apply equally to all. Fairly enforcing due process procedures involves:

- Adequate and timely notice and an opportunity to prepare a defense;
- An opportunity to be heard at a reasonable time and in a meaningful manner and;
- The right to a speedy and impartial hearing on the merits of the case.

### SPECIAL EDUCATION STUDENTS

Students who attend public school on an individualized educational program (IEP) are subject to due process procedures established by the South Dakota Board of Education under administrative rules for special education. The administration shall consult with a student's individualized education program (IEP) team to balance student disciplinary actions with the provision of a free and appropriate public education for students with disabilities.

LEGAL REFS.: ARSD 24:05:26  
ARSD 24:05:26:01  
ARSD 24:05:30  
ARSD 24:07  
SDCL 1-26-26  
SDCL 13-32-4  
SDCL 13-32-4.2  
SDCL 13-32-4.7

ADOPTED: 02/2020  
AMENDED:  
REVIEWED:

# Oldham-Ramona School District #39-5

## Policies and Regulations

Code: J – Students

### JFB – EDUCATION OF HOMELESS CHILDREN

Every child of a homeless individual and every homeless child is entitled to equal access to the same free, appropriate public education as provided to other students. The District must assign and admit a child who is homeless to a District school regardless of residence and irrespective of whether the homeless child is able to produce records normally required for enrollment. The District may not require an out-of-District attendance agreement and tuition for a homeless child.

The Superintendent will review and revise as necessary rules or procedures that may be barriers to enrollment of homeless children and youths. In reviewing and revising such procedures, the Superintendent will consider issues of transportation, immunization, residence, birth certificates, school records, and other documentation.

Homeless students will have access to services comparable those offered to other students, including but not limited to:

1. Transportation services;
2. Educational services for which a student meets eligibility criteria (e.g., Title I);
3. Educational programs for children with disabilities and limited English proficiency;
4. Programs in vocational and technical education;
5. Programs for gifted and talented students; and
6. School nutrition program.

The Superintendent will give special attention to ensuring the enrollment and attendance of homeless children and youths not currently attending school. The Superintendent will appoint a liaison for homeless children.

A “homeless individual” is defined as provided in the McKinney Homeless Assistance Act.

Anyone having a concern or complaint regarding placement or education of a homeless child will first present it orally and informally to the District homeless liaison. Thereafter, a written complain must be filed in accordance with the District Uniform Complaint Procedure.

#### LEGAL REFS.:

ADOPTED: 02/2020

AMENDED:

REVIEWED:

# Oldham-Ramona School District #39-5

## Policies and Regulations Code: J – Students

### JFCD - BULLYING

The Oldham Ramona School District is committed to maintaining a constructive, safe school climate that is conducive to student learning and fostering an environment in which all students are treated with respect and dignity.

Persistent bullying can severely inhibit a student's ability to learn and may leave lasting negative effects on a student's life. The bullying of students by students or third parties is strictly prohibited and shall not be tolerated.

Bullying consists of unwanted, repeated physical, verbal, non-verbal, written, electronic or any conduct directed toward a student(s) that involves an imbalance of power and is severe and objectively offensive that it:

1. has the purpose of creating or resulting in an intimidating, hostile or offensive academic environment, or
2. has the purpose or effect of substantially or unreasonably interfering with a student's academic performance which deprives the student access to educational opportunities.

Any staff member observing or suspecting bullying by a student or third party toward another student is required to report the issue to his or her building supervisor.

This policy is in effect while students are on property within the jurisdiction of the School Board; while students are in school-owned or school-operated vehicles; while students are attending or engaged in school-sponsored activities; and while students are away from school grounds if the misconduct directly affects the good order, efficient management and welfare of the student or the District.

The District will act to investigate all complaints (formal or informal, verbal, or written) of bullying by students or third parties. Students who violate this policy shall be subject to appropriate disciplinary action, up to and including expulsion. Employees who violate this policy shall be subject to appropriate discipline action, up to and including termination of employment.

This policy shall not be interpreted to prohibit civil exchange of opinions or debate protected under the state and federal constitutions where the opinion(s) expressed does not otherwise materially or substantially disrupt the education process or intrude upon the rights of others.

LEGAL REFS.: SDCL 22-19A  
SDCL 49-31-31  
SDCL 13-32-14, 13-32-15, 13-32-16, 13-32-17, 13-32-18, 13-32-19

ADOPTED: 12-2009  
REVIEWED: 01-2017  
REVIEWED: 02/2020

# Oldham-Ramona School District #39-5

## Policies and Regulations Code: J – Students

### JFCD-E(1) – BULLYING COMPLAINT REPORT FORM

Name: \_\_\_\_\_

Grade: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

Please answer the following questions about the incident that prompted this report:

1. List the name or names of the student or students accused of bullying, discrimination, harassment, or retaliation:

\_\_\_\_\_

2. What is the relationship between you and the accused student(s):

\_\_\_\_\_

3. Describe the incident:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Where and when did the incident happen:

\_\_\_\_\_

5. Were there any witnesses?  Yes  No *If yes, please provide witnesses names.*

\_\_\_\_\_

6. Have there been any previous incidents involving the accused student(s)? Yes  No  *If yes, please explain:*

\_\_\_\_\_

7. Other information, including previous incidents or threats:

\_\_\_\_\_  
\_\_\_\_\_

I certify that all statements made in the complaint are true and complete. I understand that any intentional misstatement of fact may subject me to school discipline. I authorize school officials to disclose the information I provide only as necessary in pursuing the investigation of my complaint.

Signature of Student/Parent/Guardian \_\_\_\_\_ Date: \_\_\_\_\_

Signature of School Official receiving complaint: \_\_\_\_\_ Date: \_\_\_\_\_

District Investigation Summary Completion Date: \_\_\_\_\_





# Oldham-Ramona School District #39-5

## Policies and Regulations Code: J – Students

### JFCJ – DANGEROUS WEAPONS IN THE SCHOOL

Schools should be an example of what is required regarding the observance and respect for law in society at large. Schools also must be highly conscious of the health, safety, and welfare of students, staff, and the public.

State and federal laws as well as board policy forbids the bringing of dangerous or illegal weapons to school or school sponsored activities. Any weapon taken from a pupil shall be reported to the pupil's parents. Confiscation of weapons will be reported to law enforcement. Appropriate disciplinary or legal action or both shall be pursued by the building principal.

A dangerous weapon is defined as any firearm, or air-gun, knife or device, instrument, material or substance, whether animate or inanimate, which is calculated or designed to inflict death or serious bodily harm.

No firearms are permitted on any school premises, school vehicle or any vehicle used for school purposes, in any school building or other building or premises used for school functions. An exception would be weapons under the control of law enforcement personnel, starting guns while in use at athletic events, firearms or air-guns at fire ranges, gun shows, authorized supervised school training sessions for the use of firearms and to the ceremonial presence of unloaded weapons at color guard ceremonies. Any violations shall be reported to local law enforcement authorities.

Any student bringing a firearm to school, except as provided by law, shall be expelled for not less than twelve months and will be referred to law enforcement authorities. The Superintendent shall have the authority to recommend to the school board that this expulsion requirement be modified on a case-by-case basis. This policy shall be implemented in a manner consistent with IDEA and Section 504. For the purpose of this portion of this policy, the term "firearm" includes any weapon which is designed to expel a projectile by action of an explosive, the frame or receiver of any such weapon, a muffler or silencer for a weapon, or any explosive, including any poison gas.

LEGAL REFS.: 13-32-4.2  
13-32-7  
22-1-2

ADOPTED: 02/2020  
AMENDED:  
REVIEWED:

# Oldham-Ramona School District #39-5

## Policies and Regulations Code: J – Students

### JFG – INTERROGATIONS AND SEARCHES

#### **SEARCHES BY STAFF**

The right of inspection of students' school lockers is inherent in the authority granted school boards and administrators. This authority may be exercised as needed in the interest of safeguarding children, their property and school property.

Nevertheless, exercise of that authority by school officials places unusual demands on their judgment so as to protect each child's constitutional rights to personal privacy and protection from coercion and to act in the best interest of all students and the schools.

The following rules apply to the search of school property assigned to a specific student (locker, desk, etc.), and the seizure of items in his possession:

1. There should be reasonable cause for school authorities to believe that articles are kept in the locker, desk, or other storage space whose possession constitutes a crime or rule violation.
2. Search of an area assigned to a student should be for a specifically identified item, and should be conducted in his or her presence and with his or her knowledge.
3. General housekeeping inspection of school property may be conducted with reasonable notice.
4. Illegal items (drugs, weapons, etc.) or other possessions reasonably determined to be a threat to the safety or security of others may be seized by school authorities at any time.

#### **SEARCHES OF STUDENT PROPERTY BY POLICE**

A proper search warrant is required for any search of a student's personal property kept on school premises; however, if the police have reason to believe any item that might pose an immediate threat to the safety or security of others, searches may be conducted without a previously issued warrant.

#### **INTERROGATIONS BY POLICE**

The school district has legal custody of students during the school day and during hours of approved extracurricular activities. It is the responsibility of the school administration to make an effort to protect each student's rights with respect to interrogations by law enforcement officials. Therefore:

1. When law enforcement officials find it necessary to question students during the school day or periods of extracurricular activities, the school principal or the principal's designee will cooperate. An effort will be made to contact the student's parent or guardian so that the responsible individual may be notified of the situation.

2. Parents or guardians will not be contacted in child abuse cases if the law enforcement official requests confidentiality.

3. If custody and/or arrest is involved, the principal will request that all procedural safeguards, as prescribed by law, be observed by the law enforcement officials.

LEGAL REFS.:

ADOPTED: 02/2020

AMENDED:

REVIEWED:

# Oldham-Ramona School District #39-5

## Policies and Regulations Code: J – Students

### JFH – STUDENT COMPLAINTS AND GRIEVANCES

The Board recognizes that there may be conditions in the school district that are in need of improvement and that students should have some means by which their concerns may be effectively expressed, considered, and dealt with fairly. Such means, if well-conceived and understood in advance, can do much to maintain harmonious relationships between the schools and the students and community.

The Board desires student complaints and grievances to be resolved through orderly processes and at the lowest possible level, but that channels be provided for eventual hearing by the Board in instances when this becomes necessary. Therefore:

1. Any student or his or her parent or guardian will be provided the opportunity to discuss with the student's teacher a decision or situation which the student, parent, or guardian considers unjust or unfair.
2. If the incident remains unresolved, the student or his or her parent or guardian or the teacher, may bring the matter to the principal's attention for consideration and action.
3. If the matter is still unresolved after the procedure outlined above, it may be brought to the Superintendent for consideration.
4. Complaints that remain unresolved following any action of the Superintendent may be referred in writing to the Board for review.

The Board's decision will be final unless an appeal hearing is requested.

#### LEGAL REFS.:

ADOPTED: 02/2020  
AMENDED:  
REVIEWED:

# Oldham-Ramona School District #39-5

## Policies and Regulations Code: J – Students

### JG – STUDENT DISCIPLINE

Staff and students share responsibility for maintaining a climate in which education can be pursued. What is best for the individual must be balanced with what is most desirable for the entire school population.

The following principles will be observed by the school staff in maintaining student control and discipline in the schools:

1. It is believed that most individuals modify behavior faster under praise than under blame. Therefore, the general approach to discipline will be a positive one. This will include attempting to identify the social, emotional, and academic problems that underlie a student's poor attitude or misconduct, and striving to meet his or her social, emotional, and academic needs.
2. Every individual needs to feel worthy and accepted as a person. In criticizing a student for his or her conduct or attitude and in taking disciplinary action, teachers and other staff members will endeavor to show the student that it is his or her behavior that is objectionable, not the student.
3. The best discipline is self-discipline. Modes of student control over classroom management will offer students the freedom to acquire self-control and self-discipline. This freedom will be extended in keeping with the student's maturity.

Within the above guidelines and specific policies regulating conduct and disciplinary action, the Superintendent will set up procedures for dealing with disciplinary problems.

The Board extends to all of its school employees, professional and nonprofessional, the authority to enforce policy and regulations governing student behavior. Students will comply with the directions given them by staff members.

#### LEGAL REFS.:

ADOPTED: 04/2020  
AMENDED:  
REVIEWED:

# Oldham-Ramona School District #39-5

## Policies and Regulations Code: J – Students

### JGB – RESTRAINT AND SECLUSION

The Oldham-Ramona School will notify the parent or guardian of the student, unless the student is emancipated, of an incident requiring the use of restraint or seclusion. This will be done within the school day if school is in session that day.

No employee of the Oldham-Ramona School District will use the method of prone restraint, defined as physical pressure applied to any part of the student's body to keep the student in a face down position on the floor or other surface, except when that use is necessary and reasonable in manner and moderate in degree.

No student will be placed in involuntary confinement in a locked room alone unless there is a clear and present danger.

LEGAL REFS.: SB 46 (2018)

ADOPTED: 7/16/2018

AMENDED:

REVIEWED:

# Oldham-Ramona School District #39-5

## Policies and Regulations Code: J – Students

### JG-R – STUDENT DISCIPLINE REGULATIONS

#### APPLYING THE DISTRICT-WIDE RULES

1. The consequences for misbehavior described in this regulation are for misbehavior resulting in a referral to the principal's office. Consequences are designed to be fair, firm, and consistent for all students in the Oldham-Ramona School District 39-5. They apply to all students in any school or other District building, on District property, in District vehicles or school buses, and at school or District events. The building administrator has the latitude to enforce other reasonable disciplinary action found to be warranted by the situation.
2. Because it is not possible to list every misbehavior that occurs, the administration and staff reserves the right to respond to misbehaviors not included in this regulation. This regulation is based on the assumption that misbehaviors are dealt with by bus drivers, chaperones, classroom teachers, counselors, administrators and other appropriate District staff.
3. Progressive discipline will be used in conjunction with existing District policy. Complete copies of the District suspension and expulsion policy are available from all principals' offices. Rights and responsibilities of the District personnel, parents or guardians, and students are described in this policy.
4. Actions, which may be used by District staff to discipline students and/or encourage them to modify their behavior include but are not limited to: student conference, parent or guardian notification, parent or guardian conference, fine, restitution, detention, removal from class, in-school suspension, dismissal from school, out-of-school suspension, exclusion, expulsion, referral to law enforcement authorities, conflict resolution training and recommendations to alternative community services.
5. Each building may develop a discipline handbook with rules and regulations specific to their unique needs. A copy of school rules will be provided to the parent/guardian and student.

#### LEGAL REFS.:

ADOPTED: 04/2020  
AMENDED:  
REVIEWED:

# Oldham-Ramona School District #39-5

## Policies and Regulations Code: J – Students

### JHC – STUDENT HEALTH

The Board realizes its responsibility to help protect and improve the health of students. The Board, therefore, will utilize the services of a nurse or county health nurse to coordinate school health services. The nurse, with the cooperation from the school administration, will be responsible for organizing dental, medical, and immunization clinics for students within the school district.

Student Health services will include the following:

1. Counseling for students, parents, and others concerning the findings of health examinations.
2. Help in preventing and controlling disease.
3. Emergency service for injury and sudden illness.
4. Consultation with parents and appropriate staff on the health of.
5. Maintenance of health records for all students.
6. Assessment and implementation of services for students with special needs, administration of medications and performance of specialized health care procedures.

The services shall include assessment and implementation of services for students with special needs, administration of medications and performance of specialized health care procedures.

Of necessity, the health services provided will be limited largely to the detection and prevention of health problems, referral of problems through parents to the family physician, and emergency care.

Liability insurance will be provided employees to cover actions authorized by law.

LEGAL REFS.: SDCL 13-33A  
ARSD 20:48:04:01:09

ADOPTED: 11-1989  
AMENDED:  
REVIEWED: 07-2014  
REVIEWED: 02/2020

# Oldham-Ramona School District #39-5

## Policies and Regulations Code: J – Students

### JHCA – PHYSICAL EXAMINATION AND INOCULATIONS OF STUDENTS

The School Board encourages parents and students to preserve and protect each student's general health. The Board will, therefore, recommend that each child should have a complete physical examination by a licensed physician upon entrance to the kindergarten or first grade, and upon entering fourth, eighth and twelfth grades. All new entrants to the school system will also receive a recommendation for a physical examination.

Any child entering school or an early childhood program in the District, shall, prior to admission, be required to present to the appropriate school authorities certification from a licensed physician that the child has received or is in the process of receiving adequate immunization against poliomyelitis, diphtheria, pertussis, rubeola, rubella, mumps, tetanus, meningitis, and varicella, according to recommendations provided the Department of Health. The Department of Health may modify or delete any of the required immunizations. As an alternative to the requirement for a physician's certification, the child may present:

1. certification from a licensed physician stating the physical condition of the child would be such that immunization would endanger the child's life or health; or
2. a written statement signed by one parent or guardian that the child is an adherent to a religious doctrine whose teachings are opposed to such immunization.

Any child entering an early childhood program, kindergarten, sixth grade, and any student transferring into the District, shall present such certification as required by the S.D. Department of Health regulations unless a medical or religious exemption authorized by Department of Health regulations applies.

Physical examinations may also be required for all students who participate in interscholastic athletics and other school activities.

Annually, students will also be subject to routine health screenings for hearing and visual acuity, and dental, scoliosis, and communicable diseases.

Pursuant to state law, the school board or Superintendent may, with the concurrence of the county health officer, exclude from school attendance a student who is determined to be a risk or nuisance to the health of other students or school employees due to the presence of infectious disease or communicable parasite. A student may be readmitted when the school board or school superintendent, with the concurrence of the county health officer, determines that the state of communicability or infectiousness no longer exists.

LEGAL REFS.:       SDCL 13-28-7.1  
                              13-28-7.2  
                              13-28-7.3

ADOPTED: 03-2007  
REVIEWED: 02-2012  
AMENDED: 06-2016

# Oldham-Ramona School District #39-5

## Policies and Regulations Code: J – Students

### JHCC – STUDENT COMMUNICABLE DISEASES

The board recognizes the need and right of all children to receive free and appropriate education. The board further recognizes its responsibility to provide a healthy environment for all students and school employees.

Students who are afflicted with a communicable, contagious, or infectious disease and who are infected with communicable parasites, or who are liable to transmit such a disease or parasite, may be excluded from school attendance.

A determination of whether an infected student be excluded from the classroom or school activities shall be made on a case-by-case basis, under the direction of the building administrator or designee.

#### **ADVISORY COMMITTEE**

In situations where the decision to exclude a student from school attendance requires additional expertise and knowledge, the building administrator will refer the case to an advisory committee for assistance in the decision-making. The advisory committee may be composed of:

1. A representative from the state or county health department;
2. the student's physician;
3. the student's parents or guardian(s);
4. the school principal or designee;
5. the school health service's supervisor;
6. the Superintendent or designee;
7. and primary teacher(s).

In making the determination, the advisory committee shall consider:

1. The characteristics of the contagious disease;
2. the medical condition of the student;
3. the expected type(s) of interaction with others in the school setting;
4. the impact on both the infected student and others in that setting;
5. the South Dakota Department of Health guidelines and policies;
6. the recommendation of the County Health Officer, which may be controlling.

The advisory committee may officially request assistance from the State Department of Health, Center for Disease Control, or other experts.

If it is determined that the student will not be permitted to attend classes or participate in school activities, additional medical information may be needed before the student may return to school. If an infected student is not permitted to attend classes for ten consecutive school days, arrangements will be made to provide an alternate educational program. If that requires personal contact between student and school employees, only trained volunteer employees shall be utilized.

### **CONFIDENTIALITY**

Public information will not be revealed about any student who may be infected. If the student is permitted to remain in the school setting, information will be provided, as appropriate, to school employees who have regular contact with the student, as to the student's medical condition and other factors needed for consideration in carrying out job responsibilities.

### **HEALTH GUIDELINES**

It shall be the duty of the Superintendent to establish regulations in accordance with this policy. The regulations shall contain infection control practices to be observed within the schools and may include guidelines to be used as a resource in determinations related to school attendance.

LEGAL REFS.: SDCL 13-28-7.3

ADOPTED: 9/2020

AMENDED:

REVIEWED:

# Oldham-Ramona School District #39-5

## Policies and Regulations Code: J – Students

### JHCC – STUDENT COMMUNICABLE DISEASES - GUIDELINES

Numerous communicable diseases may affect a school-age population and/or school staff. Some of these have a high degree of communicability. Some are life threatening in nature. Some are both.

Disease and Incubation Period*	Rules for School Attendance
Acquired Immune Deficiency Syndrome (AIDS) *6 months-five years	Determination will be made by the Advisory Committee as outlined in the Communicable Disease policy.
Chicken Pox *14-21 days	The student may attend school after all pox are dry and scabbed.
Cytomegalovirus (CMV) Salivary Gland Viruses	The student may attend school. Precautions should be taken by contacts with immunosuppression as anti-cancer or organ transplants as well as anyone with suspected or known pregnancy. Good hand washing in all cases should eliminate risk of transfer of infection.
Fifth Disease (Erythema Infectiosum) *6-14 days	The student may attend school with physician's permission.
Giardiasis (Intestinal Protozoan Infection) *5-25 days or longer.	The student may attend school if the student practices independent and hygienic bathroom skills. Other students may attend school after the third day of drug treatment. Good hand washing in all cases should eliminate risk of transfer of infection.
Herpes Simplex *2-12 days	The student may attend school during an active case if the student has the ability and practices personal hygiene precautions and the area of lesion is covered.
Impetigo *variable 4-10 days	The student may attend school if treatment is verified and covered or dry.
Infectious Hepatitis *15-40 days (Average 25 days)	The student may attend school with physician's written permission and if the student has the ability to take appropriate personal hygiene precautions.

Measles (Red, Hard, Rubeola, 7-day) *8-14 days	The student may attend school after a minimum of seven (7) days. Students who have had contact with measles may attend school if immunization is up to date.
Infectious Mononucleosis (Glandular Fever) *2-6 weeks	The student may attend school with physician's permission. The student may need adjusted school days and activities.
Mumps *12-21 days	The student may attend school after swelling has disappeared.
Pediculosis (Lice)	The parent of a student found to have live head lice will receive a personal call or a note sent home regarding treatment. The student may attend school after treatment. A student with live lice may be excluded immediately in the event of frequent or repeated infestations or at the discretion of the school nurse.
Pink Eye (Conjunctivitis) *5-12 days	The student may attend school after the eye is clear, under treatment or with physician's written permission.
Plantar's Wart	The student may attend school. Students should not be permitted to walk barefoot.
Ring Worm (Scalp, Body, Athlete's Foot)	The student may attend school if the area is under treatment and covered. Restrict known cases of athlete's foot from pools and showers until under treatment.
Rubella (3-day, German Measles) *14-21 days	The student may attend school after a minimum of four days. Prevent exposure of pregnant women.
Scabies (7-year itch, Mites)	The student may attend school after treatment.
Streptococcal Infections(Scarlet Fever, Scarletina, Strep Throat) *1-3 days	The student may attend school 24 hours after initiating oral antibiotic therapy, and clinically well.

All communicable and chronic disease should be reported to Health Services.

\* Time interval between initial contact with an infectious agent and the first sign of symptom of the disease.

LEGAL REFS.: SDCL 13-28-7.3

ADOPTED: 9/2020  
AMENDED:  
REVIEWED:

# Oldham-Ramona School District #39-5

## Policies and Regulations Code: J – Students

### JHCD – ADMINISTRATION OF MEDICATIONS TO STUDENTS

Students will not be permitted to take medications while at school unless the administration of such medicine is coordinated by the school district nurse or authorized employee acting under specific written request of the parent or guardian and under the written instructions of the student's physician.

When such a request is made by a parent or guardian, a full release from the responsibilities pertaining to the administration and consequences of such medications must also be presented to the administration by the student's parent or guardian.

Parent/guardian requests to store and/or administer prescription or nonprescription medications to students must be in writing, on a Consent for Medication Administration District Form. The Consent for Medication Administration must be completely filled out, signed and dated by the parent/guardian. The Consent for Medication Administration must be renewed annually. Any product that could be considered a drug, including "natural remedies", herbs, vitamins, dietary supplements or homeopathic medications will be managed as a prescription medication. These products would require a written order from a physician or licensed health care provider and completion of a Consent for Medication Administration by the parent/guardian.

When medication is brought to school for a student, the student's teacher, administrator, nurse or secretary will be made aware that the student will be taking medication. If a child has medication at school without prior notification the parent/guardian will be contacted. Medications should be transported to and from school by a parent/guardian.

All medications must be stored in a locked medicine cabinet, managed by the school nurse or school personnel trained in medication administration. Prescription medications to be stored and/or administered must be in a pharmacy labeled container. The label must specify the student's name, name of physician/licensed health care provider, the date of the prescription and the directions for use. If the dosage of the medication is changed by the physician/licensed health care provider, a new bottle must be received from the parent and a new Consent for Medication completed. Non-prescription medications to be stored and/or administered should be in the original container.

It is the responsibility of the student to come to the office to take his/her medication. Any student who uses the medication in a manner other than the manner prescribed may be subject to disciplinary action.

Prescription medication administration may be delegated only to those individuals who have successfully completed the training program as required by law. No school employee, other than the school nurse, shall be required to be trained by a licensed health care profession for the purpose of being trained in the administration of prescription medication, or shall be required to administer prescription medication, without the employee's prior written consent.

13-32-11

13-32-12

13-32-13

13-33A

ARSD 20:48:04:01:09

ADOPTED: 03-1994

AMENDED:

REVIEWED: 07-2014

REVIEWED: 02/2020

# Oldham-Ramona School District #39-5

## Policies and Regulations Code: J – Students

### JHCD-E – CONSENT FOR MEDICATION ADMINISTRATION FORM

1. I am the parent/guardian of \_\_\_\_\_ and I authorize my child/ward \_\_\_\_\_, grade \_\_\_\_\_ to be administered the prescription/nonprescription medication identified below while on school property or at a school-related event or activity by the school nurse or employee trained in the administration of prescription medication.
2. I hereby release the District and its employees and agents from liability for injury arising from the school's administration of the medication while on school property or at a school-related event.
3. I understand that if the student identified herein uses the medication in a manner other than prescribed, the student may be subject to disciplinary action by the school, however, any disciplinary action may not limit or restrict the student's immediate access to the medication.
4. I authorize the school to inform appropriate school employees who would have a need to know of the administration of medication (i.e., such as school nurse, instructors, teacher aides, administrators, activity supervisors, bus drivers).
5. I acknowledge and agree that the school shall secure (store) the medication for the student until administration of the medication is necessary, and that in no circumstances shall the medication be stored in the student's locker.

Medication: \_\_\_\_\_

Dose: \_\_\_\_\_

Time: \_\_\_\_\_

Authorization Start Date: \_\_\_\_\_

Authorization End Date: \_\_\_\_\_

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

\_\_\_\_\_  
Date

ADOPTED: 03-1994  
AMENDED:  
REVIEWED: 07-2014  
REVIEWED: 02/2020



# Oldham-Ramona School District #39-5

## Policies and Regulations Code: J – Students

### JHCDA – STUDENT SELF-ADMINISTRATION OF ASTHMA OR ANAPHYLAXIS MEDICATION

“Self-administration of prescription medication” means a student’s discretionary use of prescription asthma or anaphylaxis medication, or both.

Any student with asthma or anaphylaxis, or both, may possess and self-administer prescription medication while on school property or at a school-related event or activity if:

1. The prescription medication has been prescribed by a physician or other licensed health care provider for that student as indicated by the prescription label on the medication;
2. The self-administration is done in compliance with the prescription or written instructions from the student’s physician or other licensed health care provider; and
3. The parent/guardian of the student provides to the school, on a form provided by the school:
  - (a). a written authorization, signed by the parent/guardian, for the student to self-administer prescription medication while on school property or at a school-related event or activity;
  - (b). a written statement, signed by the parent/guardian, in which the parent releases the school district and its employees and agents from liability for an injury arising from the student’s self-administration of prescription medication while on school property or at a school-related event or activity unless in cases of wanton or willful misconduct;
  - (c). a written statement from the student’s physician or other licensed health care provider, signed by the physician or provider and which shall be kept on file in the administrative office that states:
    - i. the student has asthma or anaphylaxis or both, and is capable of self-administering the prescription medication;
    - ii. the name and purpose of the medication;
    - iii. the prescribed dosage for the medication;
    - iv. the times at which or circumstances under which the medication may be administered; and
    - v. the period for which the medication is prescribed.
4. If any student uses the medication in a manner other than prescribed, the student may be subject to disciplinary action by the school; however, the disciplinary action may not limit or restrict the student’s immediate access to the medication.
5. The parent/guardian (or student, if 18 years old or older), authorizes the school administration to inform appropriate school employees (i.e., instructors, teacher aides, school administrators, activity sponsors, bus drivers who would have a need to know) that the student may self-administer medication.
6. The parent/guardian gives permission for the student to have the prescription medication with the student while on school property or at a school-related activity or event.

LEGAL REFS.: SDCL 13-32-10  
13-32-11  
13-32-12  
13-32-13  
13-33A  
ARSD 20:48:04:01:09

ADOPTED: 07-2014  
REVIEWED: 02/2020

# Oldham-Ramona School District #39-5

## Policies and Regulations Code: J – Students

### AUTHORIZATION FOR ASTHMA OR ANAPHYLAXIS SELF-ADMINISTERED MEDICATION PHYSICIAN/LICENSED HEALTH CARE PROVIDER STATEMENT

The student \_\_\_\_\_ has

\_\_\_\_\_ asthma

\_\_\_\_\_ anaphylaxis

\_\_\_\_\_ both asthma and anaphylaxis

and is capable of self-administering the following prescription medicine:

Name and purpose of medication \_\_\_\_\_

\_\_\_\_\_

Prescribed dosage of medication \_\_\_\_\_

Times at which or circumstances under which the medication may be administered \_\_\_\_\_

\_\_\_\_\_

Period for which the medication is prescribed \_\_\_\_\_

\_\_\_\_\_

Signature of Physician/Other Licensed Health Care Provider

\_\_\_\_\_ Date

### PARENTAL AUTHORIZATION

- (1). I am the parent/guardian of \_\_\_\_\_ and I authorize my child/ward \_\_\_\_\_ to self-administer the prescription medication identified above while on school property or at a school-related event or activity.
- (2). I hereby release the District and its employees and agents from liability for injury arising from the student's self-administration of the prescription medication while on school property or a school-related event unless in case or cases of wanton or willful misconduct.

- (3) I understand that if the student identified herein uses the medication in a manner other than prescribed, the student may be subject to disciplinary action by the school, however, any disciplinary action may not limit or restrict the student's immediate access to the medication.
- (4) I authorize the school officials to inform appropriate school employees (i.e., instructors, teacher aides, school administrators, activity supervisors, bus drivers who would have a need to know) that the student may self-administer medication.
- (5) I give permission for the student to have the prescription medication with the student while on school property or at a school-related activity or event.

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Signature of Parent/Guardian

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Date

ADOPTED: 07-2014  
REVIEWED: 02/2020

# Oldham-Ramona School District #39-5

## Policies and Regulations Code: J – Students

### JHCDB – EPINEPHRINE AUTO-INJECTORS

The District may acquire and maintain a stock of epinephrine auto-injectors pursuant to a prescription issued by an authorized health care provider for use in an emergency situation of a severe allergic reaction causing anaphylaxis.

All epinephrine auto-injectors must be stored in a locked medicine cabinet, managed by the school nurse or school personnel trained in administration of epinephrine auto-injector or administration of medication. Epinephrine auto-injectors to be stored and/or administered must be in a pharmacy labeled container. The label must specify the name of physician/licensed health care provider, the date of the prescription and the directions for use.

No school employee, other than the school nurse, shall be required to be trained by a licensed health care professional for the purpose of being trained in the administration of epinephrine auto-injectors, or shall be required to administer epinephrine auto-injectors, without the employee's prior written consent. Any school nurse, or other designated school personnel authorized by the School Board, may:

- (1) Administer an epinephrine auto-injector to a student in accordance with a prescription specific to the student on file with the school;
- (2) Administer an epinephrine auto-injector to any student during school hours if the school nurse or designated school personnel believe that the student is experiencing anaphylaxis in accordance with a standing protocol from an authorized health care provider, regardless of whether a student has a prescription for an epinephrine auto-injector or has been diagnosed with an allergy.
- (3) Prior to administering an epinephrine auto-injector made available by the school, each designated school personnel shall be trained by a licensed health care professional:
  - a) to recognize the symptoms of a severe allergy or anaphylactic reaction;
  - b) to know the procedure for the administration of an epinephrine auto-injector;
  - c) to know the procedure for storage of an epinephrine auto-injector; and
  - d) to know the emergency care and aftercare for a student who has an allergic or anaphylactic reaction.

Pursuant to state law, no administrator, school nurse, or designated school personnel, the District or the School Board, that makes available or possesses epinephrine auto-injectors pursuant to law, may be held liable for any injury or related damage that results from the administration of self-administration of, or failure to administer an epinephrine auto-injector that may constitute ordinary negligence, however, this immunity does not apply to an act of omission constituting gross, willful, or wanton negligence.

The District, through the student handbooks and such other means as identified by the Superintendent, shall notify the parents or guardians of each student about the policy.

LEGAL REFS.: SDCL 13-33A  
ARSD 20:48:04:01:09

ADOPTED: 07-2014  
REVIEWED: 02/2020

# Oldham-Ramona School District #39-5

## Policies and Regulations Code: J – Students

### JHCDE-E(1) ADMINISTRATION OF MEDICAL CANNABIS TO QUALIFYING STUDENT

#### Medical Cannabis Administration Plan

Before the administration of medical cannabis on school property or at a school-sponsored activity, at the beginning of each school year and at any time when the qualifying student's administration of medical cannabis changes, the student's parent/guardian must complete and submit to the district this form, the student's registry identification card, the designated caregiver(s) card, and a written signed certification<sup>1</sup> by the recommending practitioner that also includes the dosage, frequency or time of administration, and length of time between dosages.

**To be completed by the parent/guardian:**

Name of Qualifying Student<sup>2</sup>: \_\_\_\_\_

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

Name and Phone Number of Student's Designated Caregiver(s)<sup>3</sup>: \_\_\_\_\_

\_\_\_\_\_

**By initialing the following statements and signing below, the undersigned parent/guardian hereby acknowledges:**

\_\_\_\_\_ I have read and agree to comply with the procedure regarding the administration of medical cannabis to qualifying students as outlined in Policy JHCDE.

\_\_\_\_\_ I assume all responsibility for the provision, administration, maintenance, possession, storage and use of medical cannabis to my child.

\_\_\_\_\_ I understand that no school personnel are required to administer medical cannabis to my child, and that only a registered designated caregiver will be allowed to administer medical cannabis to my child.

\_\_\_\_\_ I understand that I or the designated caregiver for my child will not at any time possess on school property an amount of medical cannabis that exceeds my child's prescribed daily dosage, that it will be transported in a container that meets the packaging and labeling requirements specified by the South Dakota Department of Health, and that as soon as I or my child's designated caregiver administer the dosage of medical cannabis, I or my child's designated caregiver must remove any remaining cannabis from the school property or school-sponsored activity.

\_\_\_\_\_ I understand that the district will determine a designated location and any protocols regarding the administration of medical cannabis to my child and that this plan does not allow for the administration of medical cannabis on federal property or any location that prohibits cannabis on its property.

\_\_\_\_\_ I agree to notify the School District of any change in circumstances as outlined in Policy JHCDE.

<sup>1</sup> "Written certification" means the completed South Dakota Department of Health form dated and signed by a physician who is licensed with authority to prescribe drugs to humans, stating that in his/her professional opinion the patient is likely to receive a therapeutic or palliative benefit from the medical use of cannabis to treat or alleviate the patient's debilitating medical condition or symptom associated with the debilitating medical condition. The document must specify the patient's debilitating medical condition and that it is made in the course of a bona fide practitioner-patient relationship.

<sup>2</sup> "Qualifying student" means a student who possesses a valid registry identification card approved by the State of South Dakota Department of Health for the use of medical cannabis.

<sup>3</sup> "Designated caregiver" means the qualifying student's parent, guardian or other responsible adult over twenty-one years of age who is the qualifying student's registered designated caregiver and who has a caregiver's card approved by the SD Department of Health. In no event shall another student be recognized as a designated caregiver. A designated caregiver is the only individual permitted to possess and administer to a qualifying student.

\_\_\_\_\_ I understand that permission to administer medical cannabis in accordance with this plan may be revoked for the failure to comply with the procedure, rules or requirements of the administration of medical cannabis to qualifying students or other policies.

By signing below, I hereby release and hold harmless the School District, its officers, agents, employees, and volunteers from any and all liability, damages, injury or other legal claims which I now have or may hereafter have arising out of the administration of medical cannabis to my child.

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

\_\_\_\_\_  
Signature of parent or guardian

**To be completed by the school:**

I have received the following:

\_\_\_\_\_ Student's registry identification card approved by the State of South Dakota Department of Health authorizing the administration of medical cannabis to the student. The expiration date is: \_\_\_\_\_

\_\_\_\_\_ The designated caregiver(s) card approved by the State of South Dakota Department of Health authorizing the administration of medical cannabis to the student.

\_\_\_\_\_ Written certification signed by the recommending practitioner that also includes the dosage, frequency or time of administration, and length of time between dosages.

The student's identified designated caregiver's administration of the permissible form of medical cannabis in the designated location has been conditionally approved as follows:

Permissible form(s)<sup>4</sup> of medical cannabis to be administered:

Oil/Lotion  Tincture  Edible Product  Other: \_\_\_\_\_

Administration method to be used: \_\_\_\_\_ Dosage

Amount: \_\_\_\_\_ Time(s) to be Administered: \_\_\_\_\_

Location of administration<sup>5</sup> on school property or at a school-sponsored activity:

\_\_\_\_\_

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

Name and Signature of Nurse: \_\_\_\_\_

Name and Signature of Administrator: \_\_\_\_\_

**Copies of the current registry identification card and the registered designated caregiver(s) card will be retained in the student's educational record and updated as needed.**

<sup>4</sup> "Permissible form of medical cannabis" means non-smokable products such as oils, tinctures, edible products or lotions that can be administered and fully ingested or absorbed in a short period of time. Other non-smokable forms may be approved on a case by case basis.

<sup>5</sup> "Designated location" means a location identified in writing by the school district in its sole discretion and may include a location on the grounds of the school in which the student is enrolled, upon school property in South Dakota, as that term is defined herein, or at a school-sponsored activity in South Dakota.

**Provide copies of the Administration Plan to:**

- Parent/Guardian
- Designated Caregiver (if different than parent/guardian)
- School Principal
- Student's Teacher(s)
- School Nurse

LEGAL REFS.: ARSD 24:80  
ARSD 44:90  
SDCL 34-20G

ADOPTED: 09/2021  
AMENDED:  
REVIEWED:  
AMENDED:

# ***Oldham-Ramona School District #39-5***

## **Policies and Regulations** **Code: J – Students**

### **JHCDE ADMINISTRATION OF MEDICAL CANNABIS TO QUALIFYING STUDENT**

The School District restricts the administration of medical cannabis during school hours and at school-sponsored activities unless, in accordance with a practitioner's recommendation, administration of medical cannabis cannot reasonably be accomplished outside of school hours or school-sponsored activities.

The District permits students with a valid registry identification card for medical cannabis under South Dakota law to be administered medical cannabis on school property or at a school-sponsored activity by their parent/guardian or other registered designated caregiver in accordance with this policy and South Dakota law. In order for a parent/guardian or other designated caregiver to administer medical cannabis to a qualifying student, the District will require the following to be provided initially and thereafter at the beginning of each school year and at any time when the qualifying student's administration of medical cannabis changes:

- Presentation of the student's valid State of South Dakota Department of Health approved registry identification card or nonresident card with the State of South Dakota Department of Health's confirmation of registration (a copy of which will be kept by the school in the student's educational record);
- Presentation of the State of South Dakota Department of Health approved caregiver's card showing his/her status as the registered designated caregiver for the qualifying student (a copy of which will be kept by the school in the student's educational record); and
- A written dated and signed certification by the qualifying student's recommending practitioner that also includes the dosage, frequency or time of administration, and length of time between dosages.

The parent/guardian or other registered designated caregiver is the only person who may provide, administer, or assist the student with the consumption of medical cannabis. Schools will not store, and school personnel will not administer, medical cannabis.

Administration of medical cannabis to qualifying students shall be in accordance with this policy. Administration of all prescription and nonprescription medications to students shall be

in accordance with applicable law and the District's policy concerning the administration of medications to students.

## **Definitions**

The following definitions apply for purposes of this policy:

1. "Designated location" means a location identified in writing by the school district in its sole discretion and may include a location on the grounds of the school in which the student is enrolled, upon school property in South Dakota, as that term is defined herein, or at a school-sponsored activity in South Dakota.
2. "Permissible form of medical cannabis" means non-smokable products such as oils, tinctures, edible products or lotions that can be administered and fully ingested or absorbed in a short period of time. Patches and other forms of administration that continue to deliver medical cannabis to a qualified student while at school may be appropriate for students who receive ongoing adult assistance or on a case-by-case basis as determined by the district when adequate protections against misuse may be made. Smoking or vaping medical cannabis is strictly prohibited and is not a permissible form of medical cannabis for students in a school setting under any circumstances.
3. "Designated caregiver" means the qualifying student's parent, guardian or other responsible adult over twenty-one years of age who is the qualifying student's registered designated caregiver and who has a caregiver's card approved by the South Dakota Department of Health. In no event shall another student be recognized as a designated caregiver. A designated caregiver is the only individual permitted to possess and administer to a qualifying student. Any designated caregiver seeking access to school property or school-sponsored activity for purposes of this policy must comply with the Board's policy and/or procedures concerning visitors to school and all other applicable policies.
4. "School property" means any school premises, vehicle, or building, or on or in any premises, vehicle, or building used or leased for the school district's functions.
5. "Qualifying student" means a student who possesses a valid registry identification card approved by the State of South Dakota Department of Health for the use of medical cannabis.
6. "Written certification" means the completed South Dakota Department of Health form dated and signed by a physician who is licensed with authority to prescribe drugs to humans, stating that in his/her professional opinion the patient is likely to receive a therapeutic or palliative benefit from the medical use of cannabis to treat or alleviate the patient's debilitating medical condition or symptom associated with the debilitating medical condition. The document must specify the patient's debilitating medical

condition and that it is made in the course of a bona fide practitioner-patient relationship.

### **Permissible administration of medical cannabis to a qualifying student**

A qualifying student's designated caregiver may administer a permissible form of medical cannabis to a qualifying student in a designated location if all of the following parameters are met:

1. The qualifying student's parent/guardian provides the following to the school before the administration of medical cannabis is allowed on school property or at a school-sponsored activity and thereafter at the beginning of each school year and at any time when the qualifying student's administration of medical cannabis changes:
  - a. The qualifying student's valid registry identification card from the State of South Dakota Department of Health or nonresident card with the State of South Dakota Department of Health's confirmation of registration authorizing the student to receive medical cannabis;
  - b. The completed and signed Form JHCDE-E(1)(Medical Cannabis Administration Plan);
  - c. The designated caregiver(s) card approved by the State of South Dakota Department of Health; and
  - d. Written certification dated and signed by the student's recommending practitioner that also includes the dosage, frequency or time of administration, and length of time between dosages.
2. The qualifying student's parent/guardian provides written notice to the school within ten (10) days of any of the following:
  - a. Change in a designated caregiver;
  - b. The student ceases to have a debilitating medical condition, as that term is defined in South Dakota law; or
  - c. The registry identification card is void, expired or revoked.
3. In the event that a new registry identification card is issued, the qualifying student's parent/guardian provides the new card to the school district within ten (10) days of the issuance of the card;

4. The qualifying student's parent/guardian signs the written acknowledgement in Form JHCDE-E(1)(Medical Cannabis Administration Plan) assuming all responsibility for the provision, administration, maintenance, possession, storage and use of medical cannabis under state law, and releases the district from liability for any claim or injury that occurs pursuant to this policy;
5. The qualifying student's parent/guardian or designated caregiver shall be responsible for providing the permissible form of medical cannabis to be administered to the qualifying student, shall transport it in a container that meets the packaging and labeling requirements specified by the South Dakota Department of Health, and shall not at any given time possess on school property an amount of medical cannabis that exceeds the qualifying student's prescribed daily dosage;
6. The district will determine the location and the method of administration of a permissible form of medical cannabis so to not create risk of disruption to the educational environment or exposure to other students;
7. After administering the permissible form of medical cannabis to the qualifying student, the student's designated caregiver shall remove any remaining medical cannabis from the school property or school-sponsored activity;
8. The written dated and signed plan contained in Form JHCDE-E(1)(Medical Cannabis Administration Plan) is prepared that identifies the form, designated location(s), and any protocol regarding administration of a permissible form of medical cannabis to the qualifying student.

### **Additional parameters**

School personnel, in their role as employees of the school district, will not under any circumstances:

1. Assist a qualifying student or his/her designated caregiver in obtaining, administering, or using medical cannabis;
2. Store or hold medical cannabis in any form;
3. Ensure the qualifying student is properly using the medical cannabis as instructed by his/her recommending practitioner; or
4. Serve as the qualifying student's designated caregiver of medical cannabis.

This policy conveys no right to any student or to the student's parents/guardians or other designated caregiver to demand access to any general or particular location on school property

or at a school-sponsored activity to administer medical cannabis.

When a school-sponsored activity occurs at another South Dakota public school, the location identified by that school will serve as the designated location for the designated caregiver's administration of medical cannabis.

This policy shall not apply to school property or school-sponsored activities located outside of the state of South Dakota, on federal property or any other location that prohibits cannabis on its property.

Permission to administer medical cannabis to a qualifying student may be limited or revoked if the qualifying student and/or the student's parent/guardian or other designated caregiver violates this policy or demonstrates an inability to responsibly follow this policy's parameters.

No student is permitted to possess or self-administer medical cannabis. Qualifying students with a valid registry identification card who possess or self-administer cannabis may be subject to discipline just as any other student without a valid registry identification card would be. Student possession, use, distribution, sale or being under the influence of cannabis inconsistent with this policy may be considered a violation of Board policy concerning drug and alcohol involvement by students or other Board policy and may subject the student to disciplinary consequences, including suspension and/or expulsion, in accordance with applicable Board policy.

If the federal government indicates that the District's federal funds will be lost or have been lost by this policy, the Board declares that this policy shall be suspended immediately and that the administration of any form of medical cannabis to qualifying students on school property or at a school-sponsored event shall not be permitted. The district shall post notice of such policy suspension and prohibition in a conspicuous place on its website.

LEGAL REFS.:      ARSD 24:80  
                         ARSD 44:90  
                         SDCL 34-20G

ADOPTED:            09/2021  
AMENDED:  
REVIEWED:  
AMENDED:

# Oldham-Ramona School District #39-5

## Policies and Regulations Code: J – Students

### JHG – REPORTING CHILD ABUSE

Any teacher or other school employee who suspects that a child under 18 years of age has been neglected or physically abused (including sexual or emotional abuse) by a parent or other person, will report orally or in writing this information to the building administrator or Superintendent. The building administrator or Superintendent should immediately report this information to the state's attorney; or the department of social services; or the county sheriff; or the city police. If the building administrator or Superintendent does not confirm to the teacher or other employee within 24 hours that action has been initiated, the employee will report this information directly to the proper authorities.

The report will contain the following information: name, address, and age of child; name and address of parent or caretaker; nature and extent of injuries or description of neglect; and any other information that might help establish the cause of injuries or condition.

School employees, including administrators, will not contact the child's family or any other persons to determine the cause of the suspected abuse or neglect. It is not the responsibility of the school employees to prove that the child has been abused or neglected, or to determine whether the child is in need of protection, but only to report suspicions of abuse or neglect.

Anyone who participates in making a report in accordance with the law and in good faith is immune from any civil or criminal liability that may otherwise arise from the reporting, or from any resulting judicial proceeding, even if the suspicion is proved to be unfounded.

Any personal interview or physical inspection of the child should be conducted in a considerate, professional manner. Information or records concerning reports of suspected abuse or neglect are confidential. The release to persons other than provided by law is a class one misdemeanor. Failure to make a report of abuse or neglect is a class one misdemeanor.

Copies of this policy will be distributed by the Superintendent to all school employees at the beginning of each school term, and to new employees when they begin employment if at a different time than the beginning of the school term.

LEGAL REFS.: SDCL 22-6-2  
SDCL 26-8A (§§3 & 6-15)

ADOPTED: 02-1989  
AMENDED: 04-1999  
REVIEWED: 05-2009  
AMENDED: 12-2015

# Oldham-Ramona School District #39-5

## Policies and Regulations Code: J – Students

### JOA STUDENT DIRECTORY INFORMATION

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that the District, with certain exceptions, obtain written consent from parents, guardians or from students who are 18 years of age or older (“eligible students”), prior to the disclosure of personally identifiable information from the student’s education records. The main exception is that the District may disclose designated “directory information” without written consent, unless the parent, guardian or eligible student has informed the District that prior written consent is required before disclosing the directory information. The primary purpose of directory information is to allow the District to include this type of information from the student’s education records in certain school publications.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent’s, guardian’s or eligible student’s prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require the District to provide military recruiters, upon request, with the names, addresses and telephone listings of the students unless parents or guardians have advised the District that they do not want their student’s information disclosed without their prior written consent.

If a student’s parent, guardian or an eligible student, does not want the District to disclose directory information from the student’s education records without prior written consent, the student’s parent, guardian or an eligible student must notify the District in writing within thirty (30) days of the beginning of the school year or, if enrolling after the beginning of the school year, within thirty (30) days of enrollment.

The District has designated the following information as directory information:

1. Student’s name;
2. Address;
3. Telephone Listing;
4. Name(s) or Parent(s);
5. Photograph;
6. Date and place of birth;
7. Dates of attendance;
8. Grade level;
9. Participation (including video) in officially recognized activities and sports;
10. Weight and height of members of athletic teams;
11. Degrees, honors, and awards received;
12. The most recent educational agency or institution attended;

As required by state law, the District shall provide, by November first of each year, a list of students by name in grades seven to twelve, inclusive, together with their mailing addresses, to the executive director of the Board of Regents and to each post-secondary technical institute located in the state unless the parent has directed that the District not release directory information about the student.

As required by federal law, the District shall provide to military recruiters the same access to secondary school students as is provided generally to post-secondary educational institutions or to prospective employers of those students; and shall, upon a request made by military recruiters for military recruiting purposes, provide access to secondary school student names, addresses, and telephone listings, unless the parent of the student has submitted a request to the District that the student's information not be released without prior written parental consent.

The District annually notify parents of the types of student directory information released. The notice will include:

1. An explanation of the parent's or eligible student's right to request that information not be disclosed without prior written consent;
2. Notice that the school routinely discloses names, addresses, and telephone numbers to the South Dakota Board of Regents and, upon request, to military recruiters, subject to a parent's or eligible student's request not to disclose such information without written consents, and;
3. Notification on how the parent or eligible student may opt out of the public, nonconsensual disclosure of directory information and the method and timeline within which to do so.

LEGAL REFS.:                   20 USC §1232g (Family Education Rights and Privacy Act)  
                                      34 CFR Part 99 (FERPA Regulation)  
                                      20 USC §7908 (Armed Forces Recruiter access to students information)  
                                      PL    103-382 (Improving America Schools Act)  
                                      SDCL  13-28-50 (School districts to provide student mailing lists to Board of Regents)  
                                      10 USC §503 (Recruiting campaigns, compilation of directory information)

ADOPTED:           11-1989  
REVIEWED:         02/2012  
AMENDED:         10-2015  
REVIEWED:         02/2020

# Oldham-Ramona School District #39-5

## Policies and Regulations

Code: J – Students

### JOA-E1 STUDENT DIRECTORY INFORMATION NOTICE

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that the District, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, the District may disclose designated "directory information" without written consent, unless you have informed the District that prior written consent is required before disclosing the directory information. The primary purpose of directory information is to allow the District to include this type of information from your child's education records in certain school publications.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's, guardian's or eligible student's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require the District to provide military recruiters, upon request, with the names, addresses and telephone listings of the students unless parents or guardians have advised the District that they do not want their student's information disclosed without their prior written consent.

If you do not want the District to disclose directory information from your child's education records without your prior written consent, you must notify the District in writing within thirty (30) days of the beginning of the school year or, if enrolling after the beginning of the school year, within thirty (30) days of enrollment. The District has designated the following information as directory information:

1. Student's name;
2. Address;
3. Telephone listing;
4. Name(s) of Parent(s)
5. Photograph;
6. Date and place of birth;
7. Dates of attendance;
8. Grade level;
9. Participation (including video) in officially recognized activities and sports;
10. Weight and height of members of athletic teams;
11. Degrees, honors, and awards received;
12. The most recent educational agency or institution attended.

ADOPTED: 11-1989

REVIEWED: 02/2012

AMENDED: 10-2015

REVIEWED: 02/2020





