



CRAZY HORSE SCHOOL

TASUNKE WITKO OWAYAWA

2022-2023 Elementary

Student and Parent Handbook



Elementary Principal – Mrs. Amelia Blackbear

Superintendent – Dr. Margo Heinert

From the Elementary Principal

Dear Parents and Guardians,

Welcome to the 2022-2023 school year at Crazy Horse Elementary School! We are excited about the prospect of sharing a new school year with you and your student. Staff members have been very busy preparing, so the new year starts in a positive manner for students and families.

Essential to the success of a child's education is family. I encourage every member of our student's families to be involved in their education by staying informed, attending school functions, and when able, assisting with school activities. We want you in our school and sharing in our school experiences! Establishing and maintaining open communication with your child's teachers is extremely important.

As a school we will strive to keep you informed of events and situations on a regular basis. WE will utilize phone calls, emails, home-school folders, posters in the community, channel 19, parent nights, virtual activities, and our website. Parents are always welcome to come to the classrooms and see the work being done.

Please read the Crazy Horse School, Tasunke Witko Owayawa 2022-2023 Elementary Student and Parent Handbook carefully. It contains CHS policy to be used as a guide to help make our programs and rules transparent. The handbook is a tool that will facilitate a great year. Contact your child's teachers or myself should you have any questions or concerns.

Thank you for having faith in our abilities to educate your children. It is an enormous responsibility that we take very seriously. Our commitment to your children will not waiver. Together we will make this a terrific year as we continue to work toward making Crazy Horse Elementary school a wonderful, welcoming, and happy place to learn and grow.

Amelia Blackbear
Crazy Horse School Elementary Principal

2022-2023 Crazy Horse Elementary Staff

Secretary – Joanne Randall

KG – Donna Randall

Gr. 1 – Virginia Dull Knife

Gr. 2 – Klarisee Ortiz

Gr. 3 – Elery Osite

Gr. 4 – Romelita Garcia

Gr. 5 – Ramon LaRoque

Gr. 6 – Josinda Lopez

Paraprofessional – Dominique Dull Knife

Paraprofessional – Kyah Dull Knife

Paraprofessional – Heather Red Willow

Paraprofessional – Earlene Rooks

Paraprofessional – Bernadine Sitting Holy

Paraprofessional –

Home School Liaison – Shirley May

K-6 Family Advocate – Stephanie Gartner

K-6 Lakota – Monica Young

K-6 TAG –

K-6 Exceptional Ed. – Deborah Cross

Exceptional Ed. Para – Lynette Keplin

Exceptional Ed. Para – Carl Moran

Exceptional Ed. Para – Marti Bad Hand

Exceptional Ed. Para – Cecelia Moran



2022—2023 School Calendar

CRAZY HORSE SCHOOL TASUNKE WITKO OWAYAWA

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

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

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

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

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

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

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

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

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

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

Professional Development
Aug. 29— Sep.1 @ 8:00 am no school
Oct.28@ 8:00 am no school
Mar. 3 @ 8:00 am no school
May. 19 @ 8:00 am no school

Parent Teacher Conference (No School for Students)
Nov. 18 @ 8:00 am
Jan. 27 @ 8:00 am
Mar. 31 @ 8:00 am

Holiday's and Events No School
Sep. 2—Crazy Horse Day
Sep. 5—Labor Day
Oct. 10—Native American Day
Nov. 11—Veteran's Day
Nov. 24-25 Thanksgiving day & day after
Dec. 14 -30—Christmas -New Years
Jan. 16— Martin Luther King Day
Feb. 20—Presidents Day
Apr. 7, 10 Easter break

School Days

Sep. 6 2022—First Day of School
May. 18 2023—Graduation Day

End of Term
Nov. 4—End of Q1
Jan. 20—End of Q2
Mar. 24—End of Q3
May. 18—End of Q4

Friday Half -Days

Parent Night

Instructional days 157



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CRAZY HORSE SCHOOL POLICIES & PROCEDURES

VISION

Crazy Horse School recognizes the importance of an education for the future leaders of the Oglala Sioux Tribe. Therefore, we will continue to provide for the needs of the individuals and incorporate the Lakota values in assisting students to acquire academic and social skills necessary for a productive life in modern society.

MISSION STATEMENT

Crazy Horse School will provide a sacred environment for students to achieve academic, Lakota language, and cultural excellence.

VALUES

Wisdom (Woksápe), Respect and Humility (Wowahwala), Generosity (Wacantognaka) and Compassion (Waounsila), Courage (Woohitika) and Fortitude (Wowacantanka), Spirituality (Wówakħaŋ), Patience (Wówačhiŋthaŋka), and Honesty (Woowothanja).

Our students, with models and programs provided by the school, staff, and the community, will arrive at a position in life where they can achieve a level of humility experienced by the Lakota people in the past and will carry on those values that are uniquely and beautifully Lakota.

GOALS

Goal #1: All children who are capable shall read independently by the third grade.

Goal #2: All students shall demonstrate growth in proficiency levels in Reading and Math annually.

Goal #3: Individual student attendance will improve annually with an end goal of 95% or higher.

Goal #4: All students shall have the opportunity to learn Lakota culture and language.

Goal #5: The School will improve enrollment, retention (80%), graduation, placement, and post-secondary success of students annually.

Goal #6: The School will improve community and parental/legal guardian participation annually with an end goal of 100% participation by parents/legal guardians.

4.01 INTRODUCTION

The Crazy Horse School Student Handbook shall include all of the policies set forth in this section and the following additional items:

1. Welcome Letter from the Superintendent and Principals.
2. School Calendar.
3. School Philosophy, Vision, Mission and Goals on CHS Letterhead.
4. Lakota Values and Virtues.
5. Teachers Code of Professional Ethics and Obligations to Students.

4.02 RIGHTS AND RESPONSIBILITIES OF STUDENTS, PARENTS, THE SCHOOL, AND EDUCATORS

1. EDUCATORS RESPONSIBILITIES TO STUDENTS.

- a. The School, acting through the School Board will provide the educational and support services necessary for student learning options and experiences that allow for maximum physical, mental, social, emotional, cultural, spiritual and professional growth and development.
- b. Every student will have equal educational opportunities and access to all school activities, opportunities and support services regardless of race, color, creed, gender, religion, national origin, or disability.
- c. Educators will comply with the Obligations to students under the Code of Professional Ethics, which includes:
 - i. Not, without just cause, restrain students from independent action in the pursuit of learning;
 - ii. Not, without just cause, deny to students access to varying points of view in the classroom;
 - iii. Present subject matter for which they bear responsibility without deliberate suppression or distortion;
 - iv. Make a reasonable effort to maintain discipline and order in the classroom and the school system to protect students from conditions harmful to learning, physical and emotional well-being, health, and safety;
 - v. Conduct professional business in such a way that they do not expose the students to unnecessary intimidation, embarrassment, or disparagement;
 - vi. Accord just and equitable treatment to every student, regardless of race, color, creed, sex, sexual orientation, age, marital status, disability, national origin, or ethnic background;

- vii. Maintain professional relationships with students without exploitation of a student for personal gain or advantage;
- viii. Keep in confidence information that has been obtained in the course of professional service, unless disclosure serves professional purposes or is required by law;
- ix. Not engage in or be a party to any sexual activity with students including sexual intercourse, sexual contact, sexual photography, or illicit sexual communication.

2. STUDENTS RIGHTS AND RESPONSIBILITIES.

In order to maintain the integrity and values of the community and to promote the high ideals of education, students are expected to maintain high standards of personal conduct. By enrolling in Crazy Horse School, students agree to follow the School rules and regulations.

Students have the following rights, and are responsible for respecting these same rights for each and every student in the School:

- a. The student has the right to a free and appropriate public education; and the responsibility to participate in all classes and to complete all course requirements.
- b. The student has the right to freedom of religion, spirituality and culture; and the responsibility to respect other's religion, spirituality, and culture.
- c. The student has the right to freedom from unreasonable search and seizure of their person and property; and the responsibility to obey school rules and regulations.
- d. The student has the right to freedom of the press; and the responsibility not to libel, slander, to print obscenities or prejudicial material.
- e. The student has the right to freedom of speech and expression as long as it does not to disrupt the educational process or endanger the health or safety of others, and the responsibility to respect the right to freedom of speech and expression of others.
- f. The student has the right to freedom from discrimination; and the responsibility not to discriminate against others.
- g. The student has the right to peaceable assembly and to petition for the resolution of grievances; and the responsibility to obey recognized School rules and regulations on the assembly of students and the grievance processes available to students. This means that students will follow the grievance processes available in a manner that does not disrupt the educational process to have their concerns heard and responded to by School Staff, Principals, the Superintendent and the School Board.
- h. The student has the right to due process; and the responsibility to follow the School rules and regulations for grievances and student discipline actions.

3. PARENT / LEGAL GUARDIAN RIGHTS.

- a. **Definition of Parent or Legal Guardian.** Parent or Legal Guardian means:
- i. A biological or adoptive parent of a child;
 - ii. A foster parent who has been recognized by law as having granted legal custody of the child even on a temporary basis;
 - iii. A guardian authorized under a valid Court Order issued by a court of competent jurisdiction granting legal custody of the student to an individual, or a person designated by an Affidavit signed before two witnesses or a Notary Public by the parents of the student granting legal custody of the student to the individual.

The biological or adoptive parent, when attempting to act as the parent and when one or more parties is qualified to act as a parent, will be presumed to be the parent unless the biological or adoptive parent does not have legal authority to make educational decisions for the child under a Court Order or applicable law.

- b. **Grievance Process.** Parents and legal guardians have the right to have their complaints and grievances addressed by School Personnel in accordance with Section 4.10(16) of this Policy. The School has adopted a Grievance Policy for students and parents and legal guardians in Section 4.10(16) of this Policy.
- c. Parents and legal guardians have a right to be informed any time student is injured at school or during a school sponsored activity. The School will attempt to call the parent immediately, and will ensure proper medical care is administered. If a parent or legal guardian cannot be reached by phone, the School will call the emergency contact person listed in school records.
- d. Parents and legal guardians have a right to be informed of behavioral problems and disciplinary action taken by the School. School personnel will contact the parent or legal guardian by telephone, and will provide the parent or legal guardian with a written notice of behavior requiring the following disciplinary actions: Detention, In-School Suspension, Out of School Suspension, or Expulsion recommendation.
- e. Parents and legal guardians have the right to be notified on a timely basis regarding any Special Education Services actions or actions on a 504 Plan, as set forth in Section 4.08, and the right to request such services.

4. TITLE I RIGHTS AND RESPONSIBILITIES.

- a. **Compact Between parents/legal guardians, students and the School.**
By enrolling students in the Crazy Horse School, the School and parents/legal guardians are entering into a compact, in accordance with Title I, Part A of the Elementary and Secondary Education Act (ESEA) (Participating children), outlining how the parents, the entire school staff, and the students will share the responsibility for improved student academic achievement and the

means by which the school and parents will build and develop a partnership that will help children achieve the School's high standards. This compact includes the following:

b. School Responsibilities.

Crazy Horse School will:

- i. Provide high-quality curriculum and instruction in a supportive and effective learning environment that enables the participating children to meet student academic achievement standards.
- ii. Hold parent-teacher conferences at least every quarter, and as needed based on a student's performance. This compact will be discussed as it relates to the individual child's achievement.
- iii. Provide parents/legal guardians with frequent reports on their children's academic progress, attendance, and behavior.
- iv. Provide parents/legal guardians reasonable access to staff.
- v. Provide parents/legal guardians opportunities to volunteer and participate in their child's classroom and to observe classroom activities.
- vi. Involve parents/legal guardians in the planning, review, and improvement of the school's parent/legal guardian involvement policy, in an organized, ongoing, and timely way.
- vii. Involve parents/legal guardians in the development and implementation of any school-wide program plan, in an organized, ongoing and timely way.
- viii. Hold an annual meeting to inform parents and legal guardians of the school's participation in Title I, Part A programs, and to explain the Title I, Part A requirements, and the right of parents and legal guardians to be involved in Title I, Part A programs. The school will convene the meeting at a convenient time for parents and legal guardians, and will offer a flexible number of additional parent/legal guardian involvement meetings, such as in the morning or evening, so that as many parents and legal guardians as possible are able to attend. The school will invite to this meeting all parents and legal guardians of students and will encourage them to attend.
- ix. Provide information to parents/legal guardians of participating students in an understandable and uniform format, including alternative formats upon the request to parents and legal guardians with disabilities, and, to the extent practicable, in a language that parents and legal guardians can understand, including providing an interpreter for parents and legal guardians whose first language is other than English when available.
- x. Provide to parents and legal guardians of participating children information in a timely manner about Title I, Part A programs and a description and explanation of the school's

curriculum, the forms of academic assessment used to measure children's progress, and the proficiency levels students are expected to meet.

- xi. On the request of parents or legal guardians, provide opportunities for regular meetings for parents and legal guardians to formulate suggestions, and to participate, as appropriate, in decisions about the education of their children. The school will respond to any such suggestions as soon as possible.
- xii. Provide to each parent and legal guardian an individual student report about the performance of their child on the State assessment in at least math, science, language arts and reading.
- xiii. Provide each parent and legal guardian timely notice when their child has been assigned or has been taught for four (4) or more consecutive weeks in a core subject of English, reading or language arts, mathematics, science, foreign languages, civics or government, economics, arts, history, or geography by a teacher who is not highly qualified within the meaning of the term at 34 C.F.R. §200.56

c. School Compact Partnership Responsibilities.

To help build and develop a partnership with parent and legal guardians to help their children achieve high academic standards, Crazy Horse School will:

- i. Inform parents of opportunities to serve on committees or participate in curriculum development and training opportunities.
- ii. Notify parents and legal guardians of the school's participation in Reading and Math Intervention Programs operating within the school and the contact information.
- iii. Work with the School Administration and School Board to address problems, if any, in implementing parent and legal guardian involvement activities.
- iv. Ensure that a copy of the applicable written complaint procedures for resolving any issue of violation(s) of a Federal statute or regulation of Title I, Part A programs is provided to parents and legal guardians of students.

d. Parent/Legal Guardian Responsibilities.

Parents and legal guardians agree to support our children's learning in the following ways:

- i. Ensure the student is attending school every day and reporting absences to the respective elementary, middle, or high school Secretary on a timely basis.
- ii. Making sure that homework is completed.
- iii. Promoting positive use of my child's extracurricular time, including monitoring student use of social media (television, internet, etc.).

- iv. Volunteering in my child's classroom whenever possible.
- v. Participating, as appropriate, in decisions relating to my children's education.
- vi. Staying informed about my child's education and communicating with the school by promptly reading all notices from the school received by my child or by mail and responding, as appropriate.
- vii. Serving, to the extent possible, on policy advisory groups.
- viii. Informing the School Principal of any health issues a student is experiencing and filing the appropriate Medical forms for a student including any allergies, medications, or other health needs of the student immediately.
- ix. Finding the student, a ride to school if they miss the school bus.

e. Student Responsibilities.

Students agree to share the responsibility to improve their academic achievement and to achieve the School's high standards. Specifically, students agree to:

- i. Do my homework every day and ask for help when I do not understand the homework.
- ii. Read at least 30 minutes every day outside of school time.
- iii. Give to my parent or legal guardians or the adult who is responsible for my welfare all notices and information received by me from my school every day.
- iv. Report to a teacher or an adult if I am being bullied or harassed within or outside the school.

This compact does not require a signature but must be in place and a copy of it given to parent/legal guardians/guardians.

4.03. STUDENT RECORDS

- 1. **Student Records.** A copy of this policy on student records shall be on file in the office of each Principal and of each individual who carries out procedures relative to this policy.

Active Student records shall be kept in the Administrative Office for the respective elementary, middle or high school. Inactive Student files shall be kept in either the Administrative Office for the respective elementary, middle or high school Main Office of the School in secured filing cabinets. The parent/legal guardian, or in the case of an adult student, the adult student shall complete an access authorization list enumerating who can have access to the student's file.

Student records may contain, but are not limited to: identifying data, academic work completed, attendance data, standardized achievement test scores, health data, level of academic achievement,

scores on standardized intelligence aptitude, grades, psychological tests, inventory results, and family background information. Student records will not contain any records of the School that are part of the IEP or 504 Files or plans, or health records filed with the School EMT.

Student records shall be made available to the Superintendent, Principals and Counselors. Teachers may have access to student records only with the permission of the respective Principal. Administrators and staff with access to student records may not extract or change records of their own children, if enrolled in the past or present at CHS, without having a second CHS administrator or employee present at all times as a witness to such access or change of records. Student Records shall be maintained for three years following the date the student is no longer enrolled at the School.

Student records shall be made available to an outside person or agency only under the following conditions:

- a. A written request is received by appropriate School secretary duly signed by a parent or legal guardian of the student, or by a student of legal age (18 yrs. or older); or
- b. A written request is received in the form of a specific request from the court or a court order of a court with competent jurisdiction. Only information requested shall be disclosed and the parent/legal guardian and/or student of legal age shall be notified of all such orders in advance of compliance.
- c. Student information will only be released to the transferring school upon receipt of a release of information form signed by the students' parents/guardians and the transfer request is received through the NASIS system. Only relevant information such as grades, attendance records and group test scores shall be included. Psychological reports and health reports cannot be released without having been specified in the signed written request.
- d. Requests for information from an outside agency or person will not be approved unless the parent/legal guardian, or in the case of a student who is 18 years or older, the student signs an authorization to release information form.
- e. In instances where requests for information come from the Comptroller General of the United States, and administrative head of an education agency or state educational authorities in connection with the audit and Assessment of federal programs or for the enforcement of federal legal requirements which relate to such programs, only data which does not include information which would permit the personal identification of such students or their parents/legal guardians may be released.

2. **Health Records and Special Education/ IDEA Section 504 Records.** Information maintained by the School EMT or that is a special education services record or IDEA Section 504 Plan record related to the special education or the physical/mental health of the student, relevant HIPPA or Special Education or Individuals with Disabilities Act Section 504 requirements must also be met before the disclosure of student information. A Confidentiality Statement and Notice to Students of Federal Confidentiality Law must be on file before such records will be disclosed, in addition to meeting the requirements of this Section. Please see **Appendix 7**.

3. **Denial of Access to Records.** Access to student records, health records and special education or IDEA Section 504 records will be denied if:
- a. The person requesting records is not on the access authorization list;
 - b. The person or entity requesting records is requesting them on behalf of any third party; or
 - c. The person or entity is not a court of competent jurisdiction acting by Court Order to subpoena or order production of records for disclosure directly to the Court.

When disclosing information from a student file to a non-custodial parent, no information shall be given which indicates the child's or other parent's current residence. Information must not be disclosed to a non-custodial parent if their access rights have been limited or terminated.

4. **Records Destruction.** After a period of four (4) years post-graduation or the end of enrollment at the School, the School has the right to dispose of student records without notice to the parent or legal guardian, except that the Student's name, dates of attendance, grades, and enrollment information may be maintained at the discretion of the School. Records maintained under Section 504 of the Rehabilitation Act or the IDEA require notice to the parent or legal guardian of intent to destroy records, and must include the destruction time, parent/adult student's rights regarding the records, and steps to obtain the records if they object to their destruction. Records are then designated for destruction or release with logs maintained on the disposition of the records. Student records will not be destroyed while a request for records is pending.

Parents or legal guardians of students under 18 years of age, or adult students may request destruction of their student records four (4) years post-graduation or termination of enrollment at the School. The School may maintain records of the student's name, dates of attendance, grades, and enrollment information at the discretion of the Superintendent even over the objections of a parent or legal guardian, or an adult student.

5. **Records Amendment.** Parents/legal guardians or adult students may request an amendment to a student file. The written request (either filled out by the requesting person or a school staff person) will be placed in the student's file and referred to the Superintendent for a decision. If the amendment is made, the amendment request is destroyed. If the amendment is not made, the parent/legal guardian or adult student is notified of why the amendment will not be made and the amendment request shall remain in the file. The requesting party will also be notified of their right to file a Grievance under Section 4.10(16) of this Policy. If the un-mended record is later disclosed to any authorized entity or person under this Section, the request for amendment must be attached to it.

Parents, legal guardians or students of legal age shall have an opportunity for a hearing to challenge the content of the student's own school records, to ensure that the records are not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, and to provide an opportunity for the correction or deletion of any such inaccurate, misleading, or otherwise inappropriate data contained therein.

Requests for hearings shall be sent to the appropriate Principal of the school who shall set a time and place for the hearing within 5 days of receipt of the request and notify the requestor in writing of the time and place. The Principal shall have the person(s) present who have entered the information in question at the hearing. The parent, legal guardian, or student who requested the hearing shall have the right to question person(s) and shall be able to show evidence that would correct inaccurate, misleading, or otherwise inappropriate information.

References: Family Education Rights and Privacy Act; HIPPA

6. **Recordation of Access to Records.** Requests for student records will be kept in a log that records all completed requests, permission forms and authorizations to view and receive records which will be filed in the student's file. Written authorization is to be included in each student's records when:
 - a. Inspected and reviewed by the parent/legal guardian or adult student; or
 - b. Requested by an outside agency or individuals; or
 - c. When a record is accessed by School personnel.
7. **Records Requests by the School.** When the student transfers from another school the Principal shall ask the parent to sign a request for release of the student's records. This request will be forwarded to the school of previous attendance by the Principal. The request shall include a description of the records desired, the reason for the request, and assurance of confidentiality of the information to be released.
8. **Right to File a Complaint for violation of the Federal Educational Rights and Privacy Act.** A person may file a complaint regarding an alleged violation under FERPA by writing the Family Policy Compliance Office, U.S. Department of Education, Washington, D.C. 20202-4605. 34 C.F.R. § 99.60 – 99.64.

4.04 MCKINNEY - VENTO ACT PROGRAMMING AND ELIGIBILITY.

The School is committed to ensuring that all children, including homeless children and youth, have the supports necessary to receive a free and appropriate public education. The purpose of this Policy is to provide a process and a policy to ensure that the children and youth attending this School have access to a free and appropriate education and that the barriers faced by these students do not prevent the students from having an equal opportunity to receive a quality education. Eligible students will receive comparable educational services received by all other students.

1. **Definition of Eligible Student.** The term “Eligible student” means:
 - a. An individual who lacks a fixed, regular, and adequate nighttime residence; and
 - b. Includes:
 - i. Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative accommodations; are living in emergency

or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;

- ii. Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
- iii. Children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- iv. Migratory children who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).

2. **School Responsibilities.** The School will:

- a. Determine whether any student is an eligible student covered by this Policy by filling out a McKinney-Vento Enrollment/Referral Form. **See Appendix 8.**
- b. Enroll any eligible student in school even if all required enrollment records are not available and to provide the support necessary to ensure immunizations are up to date, and to assist the student in obtaining required documents. Enrollment will not be delayed while assisting a student with obtaining documents for enrollment.
- c. Provide eligible students with transportation to and from their school of origin if it is in the child's or youth's best interest.
- d. Designate a McKinney-Vento (Homeless) Local Education Liaison to ensure that eligible students are identified and served. The liaison must provide public notice to homeless families (in the community and at school), and facilitate access to school services including transportation.
- e. The School McKinney-Vento (Homeless) Local Education Liaison will track enrolled eligible student data and report that data annually to the Bureau of Indian Education in the NASIS System and through any grant required reporting systems.

4.05. ADMISSIONS/ENROLLMENT

- 1. **Entrance Age.** Children five years of age on or before September 1st of the ensuing school term will be eligible to enroll in Kindergarten at the school. Students may enroll in first grade if they have completed Kindergarten or have attained the age of 6 years prior to September 1st of the ensuing school term.
- 2. **Enrollment Requirements.** Students may enroll at the appropriate educational level during the school term under the following procedures:
 - a. Students must present appropriate verification of educational level participated in if previously enrolled in another educational system.

- b. Students seeking enrollment more than two calendar weeks after the beginning of each trimester or semester as applicable, shall not be admitted until the following semester or trimester, except under the following circumstances:
 - i. The student is a transfer from outside the Pine Ridge Indian Reservation.
 - ii. Special circumstances which shall be decided on a case-by-case basis by the CHS Board. Note: Middle School/High School: Families and students attempting to enter CHS through “Special Circumstances” clause may appeal the school board using the following procedure:
 - a) Meet with MS/HS Principal to discuss student transfer.
 - b) Provide documentation listed below to the principal prior to the board meeting.
 - c) When all forms are received by the school and the student has met CHS requirements for transferring, the Principal will take a recommendation to the CHS school board at their monthly meeting. The Principal may ask parent/guardians to be present to explain their circumstance to the school board.
- c. The parent(s) or guardian(s) of students enrolling must be present and complete all required forms prior to finalization of admission of the student.
- d. Prior to admittance, students and their parent(s) must furnish the school with:
 - i. Health Forms, Consent to Treatment Forms, Annual Physical Form, and Immunization Records;
 - ii. Insurance Information/Medicaid Enrollment;
 - iii. Birth Certificate;
 - iv. McKinney Vento Act Form;
 - v. Free and Reduced Meals Program application;
 - vi. Proof of guardianship or legal custody, if not one of the natural parents;
 - vii. English as a Second Language Verification;
 - viii. Title VII Eligibility Forms;
 - ix. High School transcripts required for transferring students;
 - x. Any IEP or 504 in place from any prior educational institution;

- xi. Student Transportation Forms;
- xii. Video/Picture consent form;
- xiii. Network and Internet Use Policy.

e. Student(s) and their parent(s) or guardian(s) must furnish the school with documentation that the student is either an enrolled tribal member of a Tribe or a ¼ blood degree descendant of a member of a federally recognized tribe. The following documentation may be submitted:

- i. Tribal Enrollment CIB;
- ii. Birth Certificate;
- iii. Tribal Enrollment CIB for a parent or grandparent.

f. In the event student(s) and parent(s) or guardian(s) have difficulty finding tribal enrollment documentation, the following may be done:

- i. If a legal guardian signs a consent to release of information for the student, the school may then seek information from an enrollment office on behalf of the student; or
- ii. If the student cannot contact their parent(s) or grandparent(s) to document CIB, the guardians can seek an order of temporary custody to be able to act on behalf of the student, or the student can seek an order of emancipation. The emancipation would allow a student to sign release of information to the school while temporary custody order would allow the guardian to sign a release of information for the school; or
- iii. If there are no means to obtain any documentation of enrollment status or descendency, CHS can consider whether a student qualifies for McKinney Vento assistance, which may permit a waiver of documentation requirements; or
- iv. If the case is particularly difficult, CHS may ask the BIE Grants Management Specialist whether any other form of documentation, such as an affidavit from a lineal family member attesting for the student, will be acceptable.

3. **Enrollment of Students over 18 Years of Age.** Any student who is eighteen years of age shall be required to sign a Contract with the School Principal agreeing to abide by all rules and regulations of the School including Attendance Policies set forth in Section 4.06 of this Policy. Failure of a student who is over eighteen (18) years of age to abide by the Contract shall result in a referral to the Principal and School Counselor to develop a Plan under Section 4.06 (8) of this Policy. Any student who has not completed graduation requirements by the student's 19th birthday must petition the Board for re-admittance, unless the student is a special education enrollee, by the August Regular Board meeting for the Fall Semester and by the December Regular Board meeting for the Spring Semester for approval. Students who have reached their 21st birthday will not be admitted to the school unless they are eligible for enrollment under applicable federal law and their Individual Education Plan.

4. **Non-Resident Student Enrollment.** To be eligible for enrollment, a student must reside within Crazy Horse School service area (K-12). Parents may file a request for enrollment with the Superintendent's Office for their children who reside outside the service area, with the exception of students who have had prior approval by the board to remain in continuous enrollment status. The Superintendent shall present the request for enrollment and provide a recommendation to the Board on the request. The CHS Board shall approve or deny the enrollment requests for students outside of the school service area by motion or resolution. The CHS Board will take into consideration class sizes, transportation needs, and other factors when making final decisions. Non-resident students enrolling in school shall give proof to school officials of legal custody/guardianship for the student to be enrolled by the guardian(s).
5. **Prior Expulsion.** If a child has been expelled from the Crazy Horse School or from any other school, that student is not eligible to apply for re-admittance, even if court ordered, for one full school year, unless the School Board grants a waiver of this Policy restriction after determining that the student does not pose a risk to the health or safety of students or staff. After one school year a student may apply for re-admission and can only be re-admitted if their request is approved by the Board.
6. **Exchange Students.** The Board will allow for development and implementation of exchange programs for resident students and for students desiring on-site experience at the school. The School Board will approve all applications for an exchange student enrollment. Approved exchange students have all the rights and privileges of a resident student in the school system during their period of enrollment.
7. **Pregnant/Married/Unwed Students.** Marital, maternal, or paternal status shall not affect the rights and privileges of students to receive an education or to take part in any activities offered by the school. Pregnant students shall continue in school in all instances unless the student's physician rules otherwise. If continued attendance is not advised by the physician for the period of pregnancy, the Principal is authorized to make arrangements for the instruction of the student under the Homebound Program.
8. **Transfers.** Students may transfer to another school at the request and authorization of the parent or legal guardian if the student is under 18. The Principal of the respective school has authority to approve transfers. If the Principal does not approve a transfer, the parent or legal guardian or the adult student may file a grievance with the School Board under the School Grievance Policy, Section 4.10(16).
9. **Withdrawals.** The respective School Secretary is responsible for maintaining documentation on students who withdraw. When available, the respective secretary shall document to the Student file:
 - a. The reason(s) for the withdrawal.
 - b. The efforts and resources utilized to prevent the withdrawal.
 - c. The outcome or location of the student.

The respective Principal will review the information prior to filing it for future reference and documentation.

4.06 ATTENDANCE

1. **Compulsory School Attendance.** Regular attendance is vital for a student to gain the maximum benefit from their educational experience here at the Crazy Horse School. Therefore, the School Board requires that all students and their parent/legal guardians or guardians adhere to Section 79 of the Oglala Sioux Tribal Code which requires that all children between the ages of 5 and 18 be enrolled and attend school regularly. All school age students and their parents or guardians must follow this tribal law and that the student must be enrolled and attending school somewhere.

The Board may appoint a Parent Child Liaison to enforce the compulsory school attendance law and shall advise all school staff to educate all students, parents and guardians of the law, this school policy which requires regular school attendance, and the consequences for not attending regularly.

2. **Attendance Policies Notice.** In accordance with the State of South Dakota school accreditation standards and the Oglala Sioux Tribal mandatory school attendance ordinance, it is necessary that CHS adopt policies and procedures. In order that the CHS remain in compliance with both tribal and state standards for attendance, the CHS shall provide students and their parents/guardians established attendance procedures from each respective school (Elementary, Middle School, High School) at the beginning of each school year.

3. **Ten Day Per Semester or Trimester Absenteeism Policy.** A student may not be absent from school for more than ten days in a semester or trimester. Special circumstances may warrant a variance if the absences have been due to:

- a. Hospitalization/extreme medical conditions (needs verifiable proof).
- b. Communicable disease quarantine.
- c. Death in the immediate family only (mother, father, sister, brother, grandparent).
- d. Medical/dental appointments need verifiable proof.
- e. Participation in school-sponsored activities.

Absences resulting from preventative care medical or dental appointments are not excused unless the appointment cannot be scheduled at any other time. All period absences count toward a student's total absences.

4. **Reporting Absences.** If a student is to be absent, parent/guardians are encouraged to notify the Parent Child Liaison or the school secretary's office by 9:00 a.m. This does not determine whether an absence is excused or unexcused, this can only be determined by the school administrator. Absences not reported within twenty-four hours of absence will be recorded as unexcused absences. The Principal may change the absence to excused upon receiving documentation demonstrating the absence is a qualified excused absence. When a student is absent for any reason, and is aware in advance of the absence they will be absent whether excused or unexcused, that student or their parent must obtain school work and complete the make-up work by the time they return to school. In the case of an unscheduled or unexcused absence, that student or parent must also obtain the class work for the day or days missed and make it up

by the number of days they were absent. For example, if a student is absent for two school days, make-up work is due no later than the end of the second day back in school.

5. **Warning and Dismissal Process.**

- a. When a student accumulates 2, 5, 7 days of absences in one semester, parents/guardians will be notified in writing at each level. This notification will be sent for all students regardless of age.
- b. After the fifth (5th) day of unexcused absence in a semester, the parents/guardian shall be required to come to school and meet with the principal and counselor to sign an attendance contract to discuss the causes and possible solutions for the student's absences.
- c. When students exceed ten days of unexcused absence (consecutive and/or inconsecutive) in a semester they will be dropped from school for the balance of the semester per the BIE requirement.
The parents/guardians, the juvenile court, tribal police and OST Child Protection Services will be notified when the student is under 18 years of age.
- d. **Consecutive Days Absent.** Any student missing ten (10) consecutive days of school whether excused or unexcused will be automatically dropped from the rolls of the school for the balance of the semester unless a variance is approved by the Principal based on extenuating circumstances set forth in this Policy.
- e. **Reinstatement Policy.** A student who has been dropped for absenteeism may be reinstated in the following criteria are met.
 - i. Parents/guardians request and attend a conference with the Principal within three days after receiving notification of their student being dropped from school.
 - ii. Parents/guardians must show reasonable cause for the student's absenteeism.
 - iii. At the time of the dismissal, the student must have passing grades in all subjects.
 - iv. A student who is reinstated must sign an attendance contract with the Parent, Counselor, and Principal and it must be clearly understood that missing up to three additional unexcused days will result in the reinstated student being dropped from school for the balance of the semester or trimester.

After the second drop for attendance, the student will no longer be eligible for enrollment by CHS. A parent may request a meeting with the School Board to request re-enrollment after the second drop, and the board may approve re-admission. There are no appeals for dismissal resulting from breaking the terms of the attendance contract. Student will be eligible to re-enroll at the beginning of the next semester or trimester as applicable.

6. **Student Discipline for Skipping Class.** Any unauthorized absence from class(es) during the school day by a student who was in attendance at school during that day is considered skipping and the student will

be in violation of the Student Conduct and Discipline Policies. Consequences will be imposed in accordance with that Policy for a minor rule infraction.

Note: Middle School/High School: Any students who are absent from class for more than 4 minutes without authorization will be considered “skipping class.” Students who are more than 4 minutes late for class without a pass will be considered skipping. Students who are skipping may be assigned Detention from the teacher and/or principal.

7. **Truancy.** A student is truant if they are absent from the school during the school day without the knowledge or permission of the parent(s) or respective Principal. Disciplinary action will follow the procedures as outlined for major offense. Underage students who are truant may be reported to Public Safety, OST Child Protection Services, and juvenile prosecutor and juvenile courts. Employees are responsible for identifying and reporting students who are truant to the respective Principal who shall implement processes or resources to promote student enrollment and attendance.

Note: Middle School/High School: Any student, including those over 18, that leaves school grounds during the school day without permission from the Principal will be immediately reported to Public Safety officer to ensure the safety of each student.

Checking Out of School: All students under 18 years of age may only be checked out of school by a parent/guardian. The parent/guardian must come to the designated office and sign out with the secretary before the permission will be granted. Students over the age of 18 who check themselves out of school shall be subject to the same attendance policy requirements as students under the age of 18. Parents/guardians of students over the age of 18 will be notified when the student is absent from school, and truancy policies will be followed in accordance with this Attendance Policy. A student who leaves campus without following these procedures will be subject to disciplinary action.

Students will either be assigned “excused” or “unexcused” based on the reasons/documentation noted above. Any student found off the Crazy Horse School campus, during school hours, shall be considered truant and subject to disciplinary action.

8. **Tardiness.** Any student who is more than four (4) minutes late to a class will be considered Tardy for the class and will be marked absent for that class period. A student is counted as ½ day absent if he or she arrives after 11:59 a.m. A student shall be counted absent for a whole day if he/she arrives after 1:30 p.m. or will be counted ½ day absent if leaving before 1:30p.m.
9. **Passage.** Passage of students about the school campus while class(es) are in session requires a pass from the teacher. Any student found without a pass while out of the classroom will be subject Disciplinary action. Respective building administrator shall set guidelines for issuance of passes.

Note: Middle School/High School: The purpose of limiting passage is to ensure a high level of time-on-task for each classroom as to not disrupt the teaching and learning and support every student towards reaching their academic goals. No student may leave the classroom the first or last 10 minutes of class. If students are out of the room more than 5 minutes, they need to get a tardy pass.

Teachers shall only allow one “emergency” pass per student per week. Teachers will always ensure students have a pass any time they are in the hall during classes. Students will be expected to use the restroom and hydrate before school, during passing periods, at lunch and after school.

“Emergency” passes will be granted for students on Behavior Intervention Plans or on an IEP in accordance with the Behavior Intervention Plan.

All students must receive a class re-entry slip from the respective Principal or her/his designee before being allowed back into the class after each tardy or absence.

Note: Middle School/High School: All tardy students MUST check in at the office with the MS/HS Secretary. They may not be admitted into class without a tardy slip from the office. If a student receives two tardy slips in one day, they will be assigned detention.

Students who are late for school or class must have a justifiable reason for being tardy to be excused by the respective Principal or her/his designee.

10. **Drop-out Prevention.** Teachers shall notify the respective Counselor and Principal of any student(s) showing drop-out tendencies so that resources become immediately available to the student. Every student should be counseled as soon as s/he is detected to be a potential drop-out and every effort made for retention. Every staff member is responsible for assisting students in their problem-solving efforts, should serve as a resource for students and such matters should be approached with equity and consistency. For any student over the age of 18 years who is not on track to graduate, when the student checks themselves out of school without a medical reason, the parent/guardian will be notified of the absence on the day of the absence. Any time a determination is made that a student is not on track to graduate on time, the Counselor and Principal shall send notice to the student, and their parent/guardian and call a meeting to develop a plan to address the reasons the student is not on track to graduate. Any student on an attendance contract, or who is not on track to graduate, or who is failing a required course, shall not be granted permission to check out from school for reasons that are not excused absences.

CHS Notice of Unexcused Absences for Elementary and Middle/High School is attached as **Appendix 9** to this Policy Manual.

4.07 ACADEMICS AND GRADING

1. **Assignment to Class/Grade Level.** In order to assure student assignment to the class level best suited to her/his needs, placement shall be at the discretion of the respective Principal working in cooperation with school counselors and the student's parent(s) or guardian(s).

Placement shall be based on records in writing from previous school(s) attended, the age and maturity level of the student and assessment of standardized test results.

Transfers from other schools shall be honored as to student grade placement until such time as there may be evidence the student would perform better if placed in another grade.

2. **High School Class Level System.** To be classified as a sophomore, a student must have earned six (6) credits. To be classified as a junior, a student must have earned twelve (12) credits. To be classified as

a senior, must have earned eighteen (18) credits. In order to graduate, a student must have earned twenty-two (22) credits. For further information, reference the student handbook for High School.

3. **Grading System.** Students will be evaluated in terms of what they have accomplished in a given subject, course or content area based upon their demonstrated proficiency, capabilities displayed, and attendance in class. Ratings for student academic proficiency will be recorded and reported to parents and students on a quarterly basis during each school term for middle school and high school, and twice a trimester for elementary school. Records of assigned student proficiency ratings will be maintained on an official record in the student’s cumulative folder. Grade report maintenance will be conducted in accordance with the Privacy Act, Confidentiality Act, Freedom of Information Act, and other applicable regulations.

The assignment of academic proficiency ratings will be based upon demonstrated student proficiency on assigned tasks in each content area or course, i.e., performance on tests, essays, individual and class projects, written assignments, performance on individual and group assignments, and other forms of student application of knowledge and skills (i.e. oral presentations, other):

a. Elementary Grading System.

Elementary school Rating **	Exceeds standard	Meets standard	Inconsistent in meeting standard	Begins to meet standard	Does not meet standard	
Percentage	90-100%	80-89%	70-79%	60-69%	0-59%	
GPA	4.0	3.0	2.0	1.0	0.00	
Proficiency	Advanced	Proficient	Basic	Below Basic	Below Basic	Incomplete

b. Middle School/ High School Grading System (based on a 4 pt. scale):

Grade	A	B	C	D	F	I
Number Rating	4	3	2	1	0	
High school and Middle School Rating *	Excellent	Above Average	Average	Below Average	No performance	

*** Students may be assigned Pass/Fail rating for elective courses instead of grades.**

**** Students may be assigned Consistent Effort (C)/Inconsistent Effort (I) rating for specialist courses instead of number ratings.**

I=Incomplete: Students will be given two (2) weeks after the end of the semester or trimester to complete work and or tests for a ½ credit course, or the year end for full credit courses in middle and high school. For the elementary school, completion of all work within two (2) weeks of the year end to receive a grade in the course, or their work will be graded based upon what has been completed. Failure to comply with the time line will become an F.

Assignment of proficiency ratings and/or performance ratings shall be at grade level, and in accordance with the content standards approved by the school (state standards) for the content area in which the student is being assessed. Portfolio and/or other areas of assessment methods are deemed supportive information (writing samples, etc.) to verify academic performance ratings of students.

The assignment of academic proficiency ratings will be based upon demonstrated student proficiency on assigned tasks in each content area. Grade report maintenance will be conducted in accordance with the Privacy Act, Confidentiality Act, Freedom of Information Act, and other regulatory provisions.

4. **Report Cards.** Students will be evaluated in terms of what they have accomplished in a given subject based upon demonstrated proficiency (in accordance with state standards). The Principal is responsible for protecting students from prejudice, unjust, and inconsistent academic or personal assessment.

A written report card of student progress shall be provided to the parent(s) by the teacher(s). Each teacher shall prepare a mid-semester or mid-trimester report of a student academic/disciplinary progress in order to notify parents of potential problems or positive student achievement.

5. **Conferences.** At least three (3) conferences shall be scheduled each school year with the parent(s) of students enrolled in the school to report on the overall progress of the student. Pertinent information concerning the student will be mailed or electronically available (NASIS Parent Portal) to parent(s) who are unable to attend scheduled Parent/Teacher Conferences.

6. **Homework.** Homework is an important part of the educational process as an extension of the instructional day. It reinforces learning, improves study skills, and helps students develop independent study habits. Homework must:

- a. Reflect IEP and 504 accommodations and modifications.
- b. Be assigned with specific directions.
- c. Be assigned as an opportunity for students to complete classroom assignments or projects.
- d. Be structured for feedback and communication among students, parents, and teachers.
- e. Not be used as a form of punishment.
- f. Provide students the opportunity to explore topics of their own interest.
- g. Relate knowledge, skills, and abilities to real life experiences and everyday life.

The type, frequency and quantity of homework should be assigned according to curricula that are aligned with the current applicable standards. Students are expected to complete assigned homework on time. Failure to do assigned homework may result in disciplinary action by the respective Teacher. (See individual student handbooks on homework procedures & policies).

7. **Make-Up Work.** Excused students who are absent from school shall have the number of days missed to

complete any missed assignments. Teachers will have work available for make-up by the student. Students are expected to complete their missed assignments for school related activities they are required to attend or for other authorized absence(s). Students are required to obtain advanced make up slips prior to traveling. Student and or parents/legal guardians are responsible for picking up and returning make-up work.

8. **Promotion and Retention of Students.** Students shall be promoted based upon successful achievement in basic subject areas and the professional judgment of the class(room) teacher. Students will be recommended for retention if they fail to meet established academic requirements or have twenty (20) days of unexcused absences from school during the school year.

Teachers and participants will confer with the student and her/his parent(s) by mid-term of the second semester or by the midterm of the second trimester in elementary school when retention of a student is being considered. Retention shall be used only when advantageous to the student. The retention of students in the elementary and middle schools is recommended by the teacher(s) with the final assignment made by the Principal following a notification of each case with the parent(s).

9. **Graduation Requirements.** Crazy Horse School graduation requirements will meet or exceed Oglala Sioux Tribal Education Code requirements and the accrediting agency requirements. Crazy Horse High School operates on a semester system. Credits and grades will be determined at the end of each semester. One half (1/2) credit per semester will be earned for successful completion of a subject for that semester. All high school students must have a full schedule.

Any student who has completed all required courses may graduate at the end of the semester with the approval of the Principal. Any student who has met the requirements for graduation at the end of the semester may be excused by the principal from the daily school schedule and participate in the graduation ceremony. Specific class completion requirements for graduation shall be listed in the Student Handbook.

For selection of valedictorian and salutatorian and other internal school awards, advanced college placement grades will be consistent with CHS grading system. A qualified candidate shall have been enrolled at CHS for three (3) years before they can be chosen as valedictorian or salutatorian. All students enrolled for three (3) years are eligible for selection as valedictorian and salutatorian. The final determination and announcement of the valedictorian and salutatorian based on the GPA; shall be made after submission of all student final grades and final GPA calculations; shall be made only by the High School Principal; and shall be announced by the Principal first to the student, and then to the public.

10. **High School Credit for College Courses/Advanced College Placement.**

- a. The Board believes any student who is capable of and wishes to do college level work while in high school should be permitted to do so. The school will only pay for the book(s) required for the course(s) taken.

Any student recommended by a Counselor for admission to a college-level course may enroll in such course. The student may request permission from the Principal to apply the course toward high school graduation requirements.

Students taking advanced college placement courses will receive a higher weight in the GPA scale for college bound purposes only. This weighting system will not be used in calculation of valedictorian/salutatorian GPA calculations. The scale for advanced college placement grading shall be as follows:

A = 5.0 B = 4.0 C = 3.0 D = 2.0

- b. Dual credit can be granted when appropriate college courses are completed as determined by the high school principal. (One 3 hr. college class/credit = 1 high school credit.)

11. **Work Study.** Crazy Horse School may administer a program for the benefit of those students who are in high school at the discretion of the Superintendent, as funds are available and the needs of the School are met.

Students are paid at a rate set by the Board. Work-study can also be utilized for credit without payment if it meets state accreditation standards. Preference in selection of students for participation in work study shall be given in the following order: 1) Students whose IEP or 504 Plan includes a transition plan, 2) Seniors; 3) Juniors; 4) Sophomores, then 5) Freshman. To be eligible for the program, the student must obtain a fingerprint and background check. The purposes of this program are to provide students the opportunity:

- a. To gain experience and a better understanding of employment.
- b. To develop a positive attitude towards work.
- c. To become a positive role model for other students to emulate through display of a positive work ethic.
- d. To obtain the monetary resource(s) which may be needed for their graduation day requirements.
- e. Must obtain the written approval of the supervisor in the department or area they wish to work.
- f. If paid, will be paid minimum wage for up to twenty (20) hours of work per week.
- g. Will be paid bi-weekly for their services.
- h. Must attend all regular class(es) and obtain passing grades.
- i. Shall not engage in any dangerous or unsafe work on the CHS campus.

12. **After School Programming.** The School Board may authorize after school programming including but not limited to tutoring programs. The School Board will approve such programming based upon availability of funds and student needs. The School Board may approve regular or extra duty contracts with employees to provide such services. The School Board may also authorize other organizations to provide such programming, provided that an outside organization must pass a criminal background check and enter into a Memorandum of Understanding or Agreement with the School.

13. **Eligibility for Extra-Curricular Activities.**

- a. **GENERALLY, Students** are encouraged to be involved in school related activities. Athletics/activities are a privilege and not a right. Therefore, it is the student's responsibility to maintain his/her eligibility. Students must meet the eligibility criteria as set forth by the School Board and the South Dakota High School Activities Association, or will not be able to participate in their chosen activity.

In all situations the Principal will determine if school work can be made up anytime for the purpose of meeting graduation requirements and graduating "on time", but not for the purpose of gaining eligibility for sports and/or activities. To be eligible for participation in extra-curricular athletics/activities, students must meet the following criteria:

- i. **Age.** The student must not have attained the age of 20 years at the time of participation.
- ii. **Enrollment.** Must have enrolled not later than the sixteenth school day of the current semester.
- iii. **Eight Semester.** A student shall be eligible for four first semesters and four second semesters of interscholastic competition which shall run consecutively commencing with the student's enrollment as a freshman.
- iv. **Scholastic/Academic Eligibility Rule.** Please see Policy for each School.
- v. **Preceding Semester.** To remain eligible in high school, student must successfully pass sixteen (16) hours of high school work, and be in compliance with SDHSAA eligibility requirements. Sixteen (16) hours of high school work constitutes four (4) classes per semester.

For purposes of Scholastic/Academic eligibility, all of the work for an incomplete grade must be made up by the student, presented to the teacher and accepted by the teacher, graded and the grade change submitted to the counseling office and entered on the official transcript within two weeks of the end of a semester. Immediate notice of compliance will be provided to the Athletic Director.

- vi. **Current Semester.** Students shall be enrolled and attend a minimum of sixteen (16) hours of high school or college work per week.
- vii. Students who have been declared ineligible because of academic deficiencies from the previous semester may earn scholastic/academic eligibility by taking academic coursework during summer vacation period.
- viii. All students who will represent Crazy Horse School in any extra-curricular activity must have their name appear on the School's Master Eligibility List prior to their participation.
- ix. **Attendance.** Students who are absent from school for more than (10) school days per

semester shall lose their eligibility. Illness of the student or death in the immediate family shall be an exception.

- x. Any student who is suspended for disciplinary reasons shall be ineligible to participate in extra-curricular activities throughout the duration of their suspension period.
- xi. Students may be in more than one activity if permission is first obtained from coach, advisor (sponsor), Athletic Director, Principal, and teacher.
- xii. Students are responsible for any equipment or uniforms provided to her/him. Any lost, stolen, or broken equipment not returned at the completion of the activity will forfeit the student's right to awards, letters, and further participation in future activities until uniforms and/or equipment is returned or is paid for in full.
- xiii. Being ineligible to participate in an activity does not constitute ineligibility to practice.
- xiv. All students shall sign interscholastic rules and comply with the rules.
- xv. Each School shall refer to the respective student handbook.

b. **Eligibility for High School and Middle School Related Activities.** Students are encouraged to be involved in school related activities. In order for students to participate in any activity at the school, they must meet the eligibility criteria as set forth by the School Board, the South Dakota High School Activities Association, and other approved South Dakota Activities Associations. To be eligible for participation in extra-curricular activities, students must meet the General Requirements and the following criteria:

- i. **Scholastic/Academic Eligibility Rules.** Student eligibility will be based on academics; student must maintain a minimum of a 1.0 G.P.A. (SDHSAA), and be in school attendance 90% of the time. All eligibility forms must be completed one week in advance.
- ii. All School sponsored activities shall abide by eligibility policy.

c. **Eligibility for Elementary School Related Activities.** To be eligible for participation in extra-curricular activities, students must meet the General Requirements and the following criteria:

- i. Student eligibility will be based on academics; student must maintain a minimum of a 2.0 G.P.A, and be in school attendance 90% of the time. All eligibility forms must be completed on a weekly basis. (Refer to respective student handbook for specific requirements).

14. **Advanced Work.** Advanced work will be granted only upon the approval of the respective Principal and then upon the approval of the student's parent(s)/legal guardian(s). Parent(s) of any student(s) who will be absent in excess of three (3) consecutive school days should request advanced work from the respective Principal. In case of out-of-state travel, the parent(s) should make such request in writing to the respective Principal two (2) weeks in advance, or at the discretion of the Principal. Failure to

complete schoolwork may result in failing grade(s) and retention.

15. **Homebound Study and Out of School Instruction.**

1. **Homebound Study.** The Board shall provide appropriate instruction for students confined to home or hospitalized for a period exceeding ten (10) consecutive school days upon the written request of the parent(s)/guardian(s) with the approval of the respective Principal.
 - a. A physician must certify that the student will be unable to attend school, estimate the probable length of the student convalescence, and state that s/he is capable of receiving home instruction.
 - b. Should parent/guardian know the student illness will exceed the ten (10) period, the parent(s) should request homebound instruction prior to the end of the ten (10) days so that instruction may begin as soon as the student is able to receive instruction.
 - c. Homebound instruction shall be geared to the student needs and capabilities during convalescence. Textbooks and supporting materials shall be provided by the school in a timely manner, along with a highly qualified staff.
 - d. If the illness/medical condition warrants a 504 plan, the respective principal or counselor will notify (in writing) the 504 coordinator or designee so an appropriate plan can be made.
2. **IEP Interim Placement Instruction.** A student who is on an IEP may be placed on homebound placement as an interim setting if it is determined that the least restrictive alternative is interim Homebound placement.
3. **Incarcerated Students.** An enrolled student who has been incarcerated for any period of time in excess of five (5) consecutive days may be eligible for instruction or coordination of assignments with a certified teacher provided by the incarcerating agency. The parent/legal guardian must notify the respective Principal of the need for such services.

4.08 EDUCATION OF STUDENTS WITH DISABILITIES

1. **Child Find.** All children with disabilities residing in the School service area, and children enrolled at CHS, including children with disabilities who are homeless children or are wards of the Tribe or the State and children with disabilities, regardless of the severity of their disabilities, and who are in need of special education and related services, will be identified, located, and evaluated, the CHS Special Education Department will determine which children with disabilities are currently receiving needed special education and related services. The Special Education Director shall develop and implement a method for CHS to identify children with disabilities eligible for services under Section 504 or the IDEA. This method shall be documented with all documentation kept confidential.

Activities to further public awareness which may be provided include: 1) sending pamphlets to the parents regarding the special education services available during school registration; 2) placing notices

in the tribal agenda/newsletter periodically; 3) announcing the special education programs on the tribal radio station periodically; 4) advising local physicians and health providers of the special education program and its services; and
5) providing training and in-service to CHS staff regarding the special education program.

To identify children eligible for CHS Special Education Program services, the Director shall give all staff training and in-service to screen for children with disabilities and discuss the process the staff member should follow once a child with disabilities is identified. The Director shall also ensure that all students testing, grades and assessments are reviewed on an annual basis to also identify potential children with disabilities.

2. **Child with a Disability.** The term “child with a disability” means a child:
 - a. With cognitive impairment, hearing impairments (including deafness), speech or language impairments, visual impairments (including blindness), serious emotional disturbance (referred to in this title as `emotional disturbance'), orthopedic impairments, autism, traumatic brain injury, other health impairments, or specific learning disabilities; and
 - b. Who, by reason thereof, needs special education and/or related services.
3. **Procedural Safeguards Notice.** A copy of the procedural safeguards available to the parents of a child with a disability must be given to the parents only one time a school year, except that a copy also must be given to the parents:
 - a. Upon initial referral or parent request for evaluation;
 - b. Upon receipt of the first State complaint under and upon receipt of the first due process complaint in a school year;
 - c. In accordance with the discipline procedures (on the date on which the decision is made to make a removal that constitutes a change of placement of a child with a disability because of a violation of a code of student conduct, the LEA must provide the parents the procedural safeguards notice; and
 - d. Upon request by a parent.
4. **Initial Evaluation.** Either a parent/guardian of a child or a public agency including the School may initiate a request for an initial evaluation to determine if the child is a child with a disability.
 - a. The initial evaluation must be conducted within 60 days of receiving parental/guardian consent for the evaluation; and
 - b. Must consist of procedures to determine if the child is a child with a disability and to determine the educational needs of the child.

5. Reevaluation. The School will re-evaluate a child with a disability:

- a. If the School determines that the educational or related service needs, including improved academic achievement and functional performance, of the child warrant a reevaluation; or
- b. If the child's parent or teacher requests a reevaluation.

A reevaluation:

- a. May occur not more than once a year, unless the parent and the School agree otherwise; and
- b. Must occur at least once every 3 years, unless the parent and the School agree that a reevaluation is unnecessary.

The School will ensure that assessments and other evaluation materials used to assess a child are provided and administered in the child's native language or other mode of communication and in the form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to provide or administer.

A parent/legal guardian is permitted to request a reevaluation of their student child at any time. If the parent insists upon additional testing, the Case Manager shall work with the parent through the established resolution process to seek resolution of the disagreement between school and parent.

A parent/legal guardian is also permitted to request an independent evaluation. All requests made for an independent evaluation are forwarded to the Superintendent. The Case Manager sends a packet of information to the parent requesting such independent evaluation which includes, but is not limited to, where an independent evaluation may be obtained, the required qualifications of an independent examiner, the eligibility for specific disability categories, and the maximum allowable charges for specified assessments to eliminate unreasonably excessive fees, including travel costs. The superintendent can make any one of the following decisions once an independent evaluation is requested: wait for the parent to act on the request, or request the parent/legal guardian to enter into the conflict resolution process. If an independent evaluation is completed by the parent/legal guardian, the Multidisciplinary (MDT) Team shall include that information in with all other information in developing or amending the student's IEP.

6. Section 504 Plan.

- a. Section 504 is the part of the Rehabilitative Act of 1973 that applies to individuals with disabilities. This act protects the civil rights of persons with disabilities.

A free appropriate public education is one provided by the elementary or secondary school that includes general or special education and related aides and services that:

- i. Are designed to meet the individual educational needs of an eligible student with a disability as adequately as the needs of an eligible student who is non-disabled are met; and

- ii. Are based on adherence to evaluation, placement, and procedural safeguard requirements.
- b. Section 504 of the Rehabilitation Act of 1973 protects students from discrimination based on their disability status. A student is eligible for accommodations under Section 504 if the student has a mental or physical impairment that substantially limits one or more of a student's major life activities that impacts education. "Major Life Activities" include functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. When a condition does not substantially limit a major life activity that impacts education, the student does not qualify for protection under Section 504. Principals are responsible for initiating and monitoring of any 504 plans for students in their learning circle/building.

**7. Students Served under the Individuals with Disabilities Education Act. (IDEA)
Identification and Evaluation.**

- a. To be eligible for services under the CHS Special Education Program, a child must have a disability that adversely affects educational performance and requires specially designed instruction as defined in Section 4.08 (2) of this Policy.
- c. When any parent, child, family member, public or private agency, school personnel or screening refers a child for the CHS Special Education Program, the Teacher Assistance Team (TAT) shall conduct a meeting in order to complete any additional required fact-finding, to brainstorm, and to establish a plan and time line with specific direction to appropriate staff to address whether further evaluation is needed. The TAT shall be comprised of the following: Principal, Counselor, , at least one General Educator, and the parent/legal guardian and any person the parent/legal guardian wishes to bring to the meeting. The parent must be notified by the Special Education Coordinator/Director of the referral if the parent did not make the referral. If further evaluation is needed, the parent's consent must also be obtained to complete further evaluation. Note, if the child is emancipated due to age or otherwise, the child must also be notified and included in the process and all rights possessed by the parent in this process now become the rights of the adult student. The parent must remain involved after the student obtains age eighteen (18) if the parent has obtained a guardianship over the student.
- c. If further evaluation is not warranted, the TAT will work together to provide other services for the child. The parent/legal guardian and/or child must be notified of the reasons the child will not be considered for the CHS Special Education Program. If further evaluation is warranted, the information shall be turned over to the Multidisciplinary (MDT) Team. The Multidisciplinary (MDT) Team. shall consist of a Special Educator, the Special Education Coordinator/Director, the Principal, at least one General Educator and the parent/legal guardian of the referred child and any person the parent/legal guardian wants to be present. The Case Manager shall complete an Evaluation Plan for the child. The Evaluation Plan may include, but is not limited to: medical history; health status; motor skills, speech/language or hearing evaluations; classroom observations; family history; psychological information; all academic achievement information including assessment results; and educational history.

- d. The MDT Team shall determine whether a child is eligible for services under the IDEA under an Individualized Education Plan (IEP) based upon the results of the Evaluation Plan. The MDT Team is required to make the following determinations, all of which are required to determine a child is eligible for IDEA services and an IEP:
- i. Whether the child has a disability;
 - ii. Whether that disability adversely affects the child's educational performance;
 - iii. What specific special education and/or other related services are required based upon the findings in 1 & 2; and
 - iv. If the child is eligible under 1 & 2, and based upon the determination in 3, what placement is the least restrictive environment for the child.
 - v. The parent shall receive prior written notice five (5) days in advance of any Multidisciplinary Team (MDT Team) meeting and prior to any evaluation. The notice shall be conveyed to the parent in a language they can understand (orally or in writing, but when orally notations must be made regarding the oral notification), shall include a description of the proposed evaluation, and an explanation of why the evaluation is taking place. All of the documentation generated throughout the entire process shall be held in the child's student file confidentially. All communication with the parents (whether oral or written) shall be documented in the student's file especially with regard to attempts to notify of meetings, consents, and additional information regarding the student's needs.
 - vi. If the parent refuses to consent to evaluation, CHS may still be required to provide special education services. The Special Education Coordinator/Director shall develop a process by which to resolve issues between the school and a non-consenting parent. The parent may also refuse the special education services proposed by the MDT Team. When this occurs, the Special Education Coordinator/Director shall develop a process by which to resolve the issues between the school and the non-consenting parent.

8. Individualized Education Plan (IEP). The term Individualized Education Plan or IEP means a written statement for each child with a disability that is developed, reviewed, and revised in a meeting. For every child eligible under the IDEA, the CHS Special Education Department shall ensure an IEP is in place, and is reviewed not less than annually. An IEP must include:

- i. A statement of the child's present levels of academic achievement and functional performance;
- ii. A statement of measurable annual goals, including academic and functional goals designed to:
 1. Meet the child's needs that result from the child's disability to enable the child to be involved in and make progress in the general education curriculum; and

2. Meet each of the child's other educational needs that result from the child's disability;
- iii. For children with disabilities who take alternate assessments aligned to alternate achievement standards, a description of benchmarks or short-term objectives;
- iv. A description of:
 1. How the child's progress toward meeting the annual goals will be measured; and
 2. When periodic reports on the progress the child is making toward meeting the annual goals (such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards) will be provided;
- v. A statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the child, or on behalf of the child;
- vi. A statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on School assessments; and if the MDT Team determines that the child must take an alternate assessment instead of a particular regular School assessment of student achievement, a statement of why the child cannot participate in the regular assessment and why the particular alternate assessment selected is appropriate for the child.

9. Educational Placement. Once it is determined that a child is eligible for the CHS Special Education Program, CHS shall provide an education through the least restrictive environment. The cost of the CHS Special Education Program shall be borne by CHS unless the child is placed there by another school, agency or court order. If the child is placed in the Program by another school, agency or court order, the other school, agency or court shall be responsible for the costs of the Program. The responsibility of CHS to pay for such an education begins when an eligible child is five (5) years of age and enrolled in CHS. The responsibility ends when the child receives a regular high school diploma as discussed below, no longer qualifies for special education, OR the child turns age twenty-two (22), whichever occurs first.

10. Services. CHS shall make available the following services through its Special Education Program:

- a. Educational programs and services available to other children serviced by the school;
- b. Non-academic and extracurricular activities available to other children serviced by the school;
- c. Physical education available to other children serviced by the school unless the child is enrolled full time in a separate facility OR the child needs a specially designed physical education program due to the child's IEP or disability(ies).

11. Notices. The Case Manager shall do their best to communicate all notices in a language and manner (if parent is blind or deaf, Brail or sign) which the parent understands. A minimum of five (5) days' notice is required when any of the following are going to occur with the student child:

- a. Initial evaluation;
- b. Initial eligibility determination;
- c. IEP review and amendment;
- d. Reevaluation;
- e. Reevaluation of the eligibility determination;
- f. Significant discipline incidents.

Written notice shall include:

- i. A description of the action proposed or refused by the School;
- ii. An explanation of why the School proposes or refuses to take the action and a description of each evaluation procedure, assessment, record, or report the School used as a basis for the proposed or refused action;
- iii. A statement that the parents of a child with a disability have protection under the procedural safeguards of this part and, if this notice is not an initial referral for evaluation, the means by which a copy of a description of the procedural safeguards can be obtained;
- iv. Sources for parents to contact to obtain assistance in understanding the provisions of this part;
- v. A description of other options considered by the MDT Team and the reason why those options were rejected; and
- vi. A description of the factors that are relevant to the School's proposal or refusal.

The parent shall receive prior written notice five (5) days in advance of any Multidisciplinary Team (MDT Team) meeting and prior to any action taken regarding a child on an IEP. The notice shall be conveyed to the parent in a language they can understand (orally or in writing, but when orally notations must be made regarding the oral notification), shall include a description of the proposed action to be taken, and an explanation of why the action is taking place. All of the documentation generated throughout the entire process shall be held in the child's student file confidentially. All communication with the parents (whether oral or written) shall be documented in the student's file especially with regard to attempts to notify of meetings, consents, and additional information regarding the student's needs.

12. Re-Evaluation and Case Management. The Case Manager shall keep a list of all special education students and the dates of when their next reevaluation is due. This information will be provided to the child's special educator(s). The Case Manager shall notify the parent at least thirty (30) days prior to any reevaluation so the parent may be included in that process as well. The Case Manager will establish the Multidisciplinary (MDT) Team and the decision making process for the reevaluation.

- 13. Transition Services.** Every child on an IEP that is The term “transition services” means a coordinated set of activities for a child with a disability that:
- i. Is designed to be within a results-oriented process, that is focused on improving the academic and functional achievement of the child with a disability to facilitate the child’s movement from school to post-school activities, including postsecondary education, vocational education, integrated employment (including supported employment); continuing and adult education, adult services, independent living, or community participation;
 - ii. Is based on the individual child’s needs, taking into account the child’s strengths, preferences, and interests; and
 - iii. Includes instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and, if appropriate, acquisition of daily living skills and functional vocational evaluation.
- 14. Transfer of Rights.** Beginning not later than one year before the child reaches the age of eighteen (18), the IEP must include a statement that the child has been informed of the child’s right, if any, that will transfer to the child on reaching the age of eighteen (18).
- 15. Manifestation Determination.** Within ten school days of any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the School, the parent, and relevant members of the child’s MDT Team (as determined by the parent and the School) must review all relevant information in the student’s file, including the child’s IEP, any teacher observations, and any relevant information provided by the parents to determine:
- a. If the conduct in question was caused by, or had a direct and substantial relationship to, the child’s disability; or
 - b. If the conduct in question was the direct result of the School’s failure to implement the IEP.

A child with a disability who is removed from the child’s current placement (a disciplinary change in placement for more than ten (10) consecutive school days where the **behavior is determined not to be a manifestation of the disability**) or (a removal for special circumstances related to drugs, weapons or serious bodily injury) must:

- a. Continue to receive education services, as provided in 34 CFR 300.101(a) (free appropriate public education (FAPE) requirements), so as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child’s IEP; and
- b. Receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur.

If the School, the parent, and relevant members of the MDT Team make the determination that the **conduct was a manifestation of the child’s disability**, the MDT Team must either conduct a functional behavioral assessment, unless the School had conducted a functional behavioral assessment before the

behavior that resulted in the change of placement occurred, and implement a behavioral intervention plan for the child or, if a behavioral intervention plan already has been developed, review the behavioral intervention plan, and modify it, as necessary, to address the behavior; return the child to the placement from which the child was removed, unless the parent and the School agree to a change of placement as part of the modification of the behavioral intervention plan.

16. **Discontinuation of Services, Graduation and Grading.** If it is suspected that a student no longer meets the eligibility criteria for the CHS Special Education Program, the reevaluation team, including the parent, must meet to review existing data and arrange to have additional assessments if necessary.

If the student is not eligible, the Director must provide the parent with written notice of the decision to discontinue special education services. Services will not be discontinued if the parent files a grievance pursuant to the appropriate provisions of the CHS Policies and Procedures.

CHS's obligation to provide special education services ends when the student meets the school's requirements for the receipt of a high school diploma. The coordinator must provide the parent with a written notice prior to graduation of the discontinuation of special education services. For children who have not yet graduated from high school by meeting the requirements for receipt of a high school diploma, CHS is obligated to provide special education services until the student reaches age twenty-two (22). If a child is turning twenty-one (21), the Director will provide the parent/legal guardian with prior written notice regarding discontinuing special education services, and develop a transition plan.

CHS's obligation to provide special education services also ends when: 1) the student transfers to another school; 2) the parent/legal guardian withdraws the student from school and the parent has made other provision for the student's educational needs, or the student is eighteen (18) years of age, is deemed legally competent, and withdraws from school; and 3) the student drops out of school.

If a parent requests that a student be withdrawn from special education services, the MDT Team must determine whether the student is still eligible for special education services. Written notice must be sent to the parent following the determination. If the MDT Team, including the parent, determines that services need to continue, CHS will provide services unless the parent has invoked the grievance procedure appropriately under the CHS Policies and Procedures.

4.09 EXCEPTIONAL, GIFTED AND TALENTED EDUCATION PROGRAM

The School Board may approve an exceptional education program for students who meet the qualifications of a gifted and talented student. It shall be the responsibility of the Superintendent to notify the BIE on the required forms of all students participating in a gifted and talented program for purposes of ISEP funding on a timely basis.

1. **Definition of Gifted and Talented Student.** A gifted and talented student is a student who:
 - a. Has evidenced high achievement capability in areas such as intellectual, creative, artistic, or leadership capacity, or in specific academic fields; and
 - b. The school has determined needs services or activities not ordinarily provided by the school in

order to fully develop those capabilities.

2. **Identifying Gifted and Talented Students.** Not less than annually, each teacher shall review each student's file to determine if the student is potentially a gifted and talented student whose needs may not be met by the current school services and activities. In addition, any member of the community, school personnel, a parent or legal guardian, or the student themselves may send a written nomination to the Special Education Director of any student in the School. Any student identified shall be referred to the Special Education Director for a determination of whether the student meets the criterion set forth in subsection 1 above. No testing of a student, or assessment of gifted and talented status shall be performed without proper parental consent in writing. Any student so identified by the Special Education Director shall be evaluated for eligibility as gifted and talented in one or more of the following areas:
- a. **Intellectual Ability.** A student who scores in the top five (5) percent on a statistically valid and reliable measurement tool of intellectual ability.
 - b. **Creative/Divergent Thinking.** A student who scores in the top five (5) percent on a statistically valid and reliable measurement tool of creative/divergent thinking.
 - c. **Academic/Aptitude Achievement.** A student who scores in the top fifteen (15) percent in a total subject area score on a statistically valid and reliable measurement tool of achievement/aptitude, or a standardized assessment, such as an NRT or CRT.
 - d. **Leadership.** A student who is recognized as possessing the ability to lead, guide or influence the actions of others as measured by objective standards that a reasonable person of the community would believe demonstrates that the student possesses leadership skills. These standards include evidence from surveys, supportive documentation portfolios, elected or appointed positions in school, community, clubs and organizations, awards documenting leadership capabilities. The School is prohibited under federal regulations on funding from identifying more than 15 percent of its student population as gifted and talented in the leadership category.
 - e. **Visual and Performing Arts.** A student with an outstanding ability to excel in any imaginative art form including but not limited to drawing, printing, sculpture, jewelry making, music, dance, speech, debate, or drama as documented from surveys, supportive documentation portfolios, awards from judged or juried competitions. The School is prohibited under federal regulations on funding from identifying more than 15 percent of its student population as gifted and talented in the leadership category.

The Special Education Director shall appoint a Multi-Disciplinary Team of not less than three persons, which shall include: 1) The Special Education Director; 2) A School Administrator; and 3) the Individual nominating the student or the classroom teacher, and any other persons the Director believes will be helpful in assessing eligibility for services including professionals in the field. The Multi-Disciplinary Team determination of eligibility for services shall be based upon the required criterion set forth above, and the following: a collection of work, audio or visual tapes, reference to school grades, letters of support from professionals knowledgeable

about the student's work, interviews or observations by School personnel or persons knowledgeable about the student, and information from other sources.

3. **Services or Program Provided.** If the Multi-Disciplinary Team determines that a student is gifted and talented, the Team shall recommend to the Superintendent a program of education to meet the student's needs in a Specific Individualized Education Plan (SIEP). The Superintendent will bring forth the recommendation and SIEP and any required additional funding to the Board for approval of any funding necessary to implement a recommended plan. Once approved, the Multi-Disciplinary Team shall sign a Statement of Agreement for placement of services and obtain the parent or legal guardian's signature and informed consent. The SIEP must include:
- a. The date of placement;
 - b. The date services will begin;
 - c. The criterion under subsection 1 of this policy for which the student is receiving services and the student's performance level;
 - d. Measurable goals and objectives; and
 - e. A list of the staff responsible for each service the school is providing.
4. **Termination of Participation in Gifted and Talented Program.** The Special Education Director is responsible for ensuring that the Multi-Disciplinary Team evaluates annually the student's progress under the SIEP and updates the SIEP annually. For students identified as gifted and talented under subsection 2(a) through (c) of this Policy, a re-evaluation is required every three (3) years to determine continued eligibility through the tenth (10th) grade. For students identified as gifted and talented under subsection 2(d) or (e) of this Policy, a re-evaluation is required annually to determine continued eligibility through the tenth (10th) grade.

A student's SIEP shall be terminated when:

- a. A parent or legal guardian files a written notice of termination of consent to participate in the program with the Special Education Director; or
- b. The student has received all of the services available from the school to meet the student's needs as determined by the Multi-Disciplinary Team; or
- c. The Multi-Disciplinary Team determines the student no longer meets the criterion that qualified the student for the program.

Notice of termination of service shall be sent to the parent or legal guardian in writing specifying the basis for termination of services by the Special Education Director. The Grievance process set forth in this Chapter 4 shall apply to any parent or legal guardian's objection to termination of services.

4.10 STUDENT CONDUCT AND DISCIPLINE

1. BULLYING

Bullying is conduct, verbal or otherwise, that is unwanted, involves a real or perceived **power imbalance**, with the intent to cause emotional, physical, or psychological harm to others, through verbal harassment, physical assault or other means which creates a hostile environment at school for the target of bullying, infringes on their rights at school or materially and substantially disrupts school discipline and/or the education process and orderly operation of a school. Students will not, either on-campus or off-campus, including through electronic means, communicate threatening, abusive, or obscene language or gestures, nor shall students be allowed to possess obscene material while at school or while attending school related activities. Such conduct is detrimental to school discipline and is unacceptable. Disciplinary actions will follow the procedures as outlined for a major offense. All students must sign the Anti-Bullying Contract. **Appendix 10.**

- a. **Purpose.** The Crazy Horse School is committed to providing a safe learning environment for all students, employees, volunteers and community that is free from harassment, intimidation or bullying. Bullying is not acceptable within our Lakota culture or values.

Everyone at Crazy Horse School is committed to making our school, buses, and school events safe and caring places for all students, staff, parents/guardians and visitors. We will treat each other with respect, and we will refuse to tolerate bullying. To this end Crazy Horse School will enforce this bullying policy both on-campus and off-campus, including the use of electronic media. Cyber bullying, even when it occurs off school grounds, which creates a hostile environment at school for the target of bullying, infringes on their rights at school or materially and substantially disrupts school discipline and/or the education process and orderly operation of a school will not be tolerated. The learning experience of the victims of bullying can suffer a wide range of negative consequences, including fear, chronic absenteeism, truancy, dropping out of school, or other serious results. Bullying may take many forms and can occur in any setting. It can create insecure and unwarranted anxiety that will affect the learning and social environment in a school. CHS has a responsibility to provide a free appropriate public education for all students. This responsibility includes the responsibility to provide a safe and secure environment for students. For this reason, the CHS will take disciplinary action against any student who engages in bullying of another student whether that conduct occurs on-campus or off-campus.

In appropriate circumstances, CHS will also report bullying to appropriate law enforcement agencies and/or Child Protective Services.

- b. **Definition.** Bullying is conduct, verbal or otherwise, that is unwanted, involves a real or perceived **power imbalance**, with the intent to cause emotional, physical, or psychological harm to others, through verbal harassment, physical assault or other means which creates a hostile environment at school for the target of bullying, infringes on their rights at school or materially and substantially disrupts school discipline and/or the education process and orderly operation of a school. Bullying includes, but is not limited to:

- i. Aggressive and unwanted or negative verbal and/or physical conduct directed at a student that:
 - a) Repeatedly causes harm or fear of harm to a person, physically, emotionally, or to their property
 - b) Causes an individual to become scared, intimidated, or fearful at school;
 - c) Interferes with a person's education;
 - d) Disrupts the school day or activities;
 - e) Involves the Use of technology or any electronics (e-mail, text messages, social networking sites, and so on) to bully
 - f) Are acts of bullying toward a person as revenge because he or she reported bullying or provided information during a bullying investigation (retaliation); or
 - g) Instigates or encourages others to do acts of bullying listed above;
- ii. Involve a pattern of behavior repeated over time; and
- iii. The target of the bullying is negatively affected by the conduct.

c. Examples. Examples of bullying include, but are not limited to:

- i. Pushing, hitting, kicking, shoving or throwing things at someone;
- ii. Stealing or damaging another person's property;
- iii. Name calling or teasing;
- iv. Threatening to hurt someone;
- v. Leaving someone out on purpose and without good reason or socially isolating a student from other students or staff;
- vi. Spreading rumors about someone;
- vii. Social Networking to use as a means to bully (any electronic device);
- viii. Any act of intimidation;
- ix. Glaring, or other non-verbal facial or body expressions intended to isolate or intimidate;
- x. Mocking, criticizing, making fun of, or making statements intended to hurt another student;
- xi. Discriminatory comments based on a student's age, gender, sex, sexual orientation, national origin or race.

d. Cyber-Activity Prohibited. Users are responsible for the appropriateness of the material they transmit. Hate mail, harassment, discriminatory remarks, or any other electronic communication or conduct which disrupts or impedes school order and/or discipline is expressly prohibited and will be dealt with as a major offense as outlined in these policies. Cyber bullying includes, but is not limited to, the use of technology for the purpose of harassing students, staff, or others; or teasing, intimidating, threatening, or terrorizing another person by sending or posting inappropriate email messages, instant messages, text messages, digital pictures or images, or web site postings including blogs. The author (poster or sender) of the inappropriate material is often disguised (logged on) as someone else. In such scenarios, Crazy Horse School may conduct investigations to ascertain the actual identity of the author(s).

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

e. Procedure for Reporting Bullying.

- i. Students are expected to report all violations of the Policy they witness, are told about, or are subjected to a member of the School staff, and are encouraged to report to their parents or legal guardians. Parents/guardians are expected to report all acts of bullying they witness, are told about, or to which students are subjected to a member of the School staff immediately.
- ii. All acts of harassment, intimidation, or bullying witnessed or reported by students to an employee must be reported verbally to the school Principal on the same day when staff witnesses or becomes aware of the incident. School staff must submit a written report of the incident to the principal within 24 hours.

If bullying is reported to or witnessed by a Facilities, Transportation, or Administrative employee, the employee will verbally report the incident to the Superintendent who shall report to the Principal the same day and be followed up with a written report within twenty-four (24) hours. School Staff are all required to report all violations of this Policy they witness, are told about, or are subjected to on an Incident Report Form. Every behavior should be reported on an Incident Report Form. Any failure of school personnel to report violations of this Policy will result in disciplinary action up to and including termination of employment.

- iii. The principal must inform the parents or guardians of all students involved in the alleged incident immediately and may discuss the availability of counseling and other intervention services as outlined in the Anti-Bully Policy Steps 1-3.
- iv. The principal/ principal designee must initiate an investigation of the incident within one school day of the report.
- v. The investigation must be completed as soon as possible. The Principal will complete a report no later than 5 school days after the principal/principal designee had received the initial written report of the incident. The report of the investigation may be amended if new information becomes available.
- vi. The completed report should be completed by the principal/ principal designee with recommendations no later than 5 days after the reported incident. A principal may extend the time to complete an investigation for an additional 5 days if information is not available yet, but will still file a report no later than 5 days after the initial written report of the incident is received. Any determination that a violation of the bullying policy in fact occurred must be based on specific information/evidence and such

information/evidence must reasonably suggest that the conduct had or is likely to have a disruptive effect on the operation and discipline of the school.

- vii. The principal or their designee will ensure that all steps are followed when a Bully Incident is reported. The Principal or their designee will make contact with parent(s)/guardian(s) and set up meetings when necessary as outlined in the policy.
- viii. In appropriate circumstances, CHS will also report bullying to appropriate law enforcement agencies and/or Child Protective Services.

f. **Bullying Intervention Steps.**

- i. **Step 1: Intervention, Warning, Redirection and Team Meeting.** The staff member who witnesses or receives the report will ensure that the immediate behavior stops and will reinforce to the student that bullying will not be tolerated. The staff member will ensure that the proper documentation is made with the Principal, who will ensure that Parent/Guardian (of student being bullied and the student bullying) notification will be made by phone call, incident report and team meeting when necessary. The team meeting will consist of the student meeting with the Intervention Team which shall include the classroom teacher, the Principal, one of the student's assigned teachers, and the counselor or family advocate; and for students on an IEP or 504 Plan, a special education teacher, to discuss the problem, solutions to the problem and to reinforce that bullying will not be tolerated. A plan will be developed with future consequences if the behavior continues. The Student must sign the form. A copy of the incident report and plan will be sent home. The Student must meet with family advocate or counselor for bullying education.
- ii. **Step 2: Formal Meeting with Parents and Administration.** School staff will notify parents/guardians of the involved student(s). The parents/guardians will be required to meet with the Intervention Team to develop an Individual Behavior Plan, or in the case of a student on an IEP, if applicable, amendments to the existing IEP. Previous documentation will be reviewed with the parent/guardian. The student will be required to sign the anti-bullying contract with a parent/guardian and administration signatures as witnesses. The student(s) will begin individual sessions with the school counselor and consequences will be included in the Anti-Bullying Contract including but not limited to the following:
 - a) Student and parent/guardian will attend Bully Education (DVD's/ lessons, etc.) with the family advocate or counselor.
 - b) Mandatory Counseling Sessions to be provided by one of the following: School Counselor, IHS, Contracted counseling services, or the Family Advocate with progress notes and further recommendations sent to the school.
 - c) Temporary removal from the classroom.
 - d) Reassignment to a different class schedule where appropriate to protect the target.
 - e) Loss of privileges including extracurricular activities.
 - f) Classroom or administrative detention.

- g) In-school suspension or placed on restriction from participation in school related activities during the school week.
 - h) Out-of-school suspension (1-9 days).
 - i) Legal action in tribal court or referral for criminal prosecution where appropriate.
 - j) If a parent/guardian does not want to meet with the Intervention Team to develop an Individual Behavior Plan, the student will be placed on Out-of-school suspension until the parent/guardian meets with the Intervention Team for up to nine (9) days. If a parent has not met with the School after ten (10) days, the Principal shall refer the case to Oglala Sioux Tribe Child Protective Services.
- iii. **Step 3: Student Hearing.** The Principal should review that all steps have been followed before a Student Hearing requested. A Student Hearing shall be held to determine if expulsion is warranted in accordance with Section 4.10 of this Policy. A student will be placed on in-school suspension for up to ten (10) calendar days while awaiting a Student Hearing.
- iv. **Chain of Command/Due Process Steps.** Steps 1-3 will be followed; however, when parents/guardians and or staff feel that steps 1-3 have not been followed, the parents/guardians may file a grievance under the grievance policy. It will be noted that the Anti- Bullying Policy shall be implemented. The staff person taking a complaint from a parent/guardian has 24 hours to follow up and report back to the person making the complaint. Parents/Guardians may not have access to confidential information about the target student or other students involved in a bullying incident, but will be provided with a copy of School Policies, and a plan of intervention for the student.
- g. **Parent Notification.** The parents and or/guardians of both the student who was bullied (target) and the student (aggressor) will be notified of all incidents of bullying that involve their student within 24 hours of the incident being reported to School staff. The parents and/or guardian of the student who was bullied will also be notified generally of the action taken by the school to prevent any further acts of bullying or retaliation toward their child.
- h. **Protecting Students and Staff Who Report.** The administration and school staff will support students and coworkers making reports and protect them against any potential retaliation for making such a report. Retaliation against students for reporting bullying is prohibited. Students who retaliate against others will receive appropriate consequences as outlined in the student discipline policy. Students may report bullying anonymously. No disciplinary action will be taken solely on the basis of an anonymous report unless substantiated by further investigation. False accusations of bullying against others are not allowed and will result in consequences outlined in our student discipline policy. When interviewing the student accused of bullying or other students about bullying, do not name the student who reported if possible. In some cases, however, the bullying may be too severe to protect confidentiality. In these cases, assure the student that the adult will do everything they can do to protect them from retaliation.
- i. **Staff Education and Responsibilities.** Each year, our school will provide the Anti-Bullying Policy to all staff. Staff will be trained annually on the plan and prevention activities chosen by our school. The training will cover ways to prevent and intervene in bullying, information about

the complex nature of bullying, research on bullying and students who may be more vulnerable to bullying by others, and information on cyber and internet safety.

Staff at our school will do the following things to prevent bullying and help students feel safe at school:

- i. Closely supervise and interact with students in all areas of the school, bus, and playground;
 - ii. Watch for signs/signals of bullying and (preceding bullying when possible) stop it when it happens;
 - iii. Incorporate lessons that support social and emotional skills;
 - iv. Teach students about bullying;
 - v. Respond quickly and sensitively to all reports of bullying;
 - vi. Take families' concerns about bullying seriously;
 - vii. Complete all documentation within 24hrs of an incident being reported (incident forms and NASIS); and/or
 - viii. Report suspected bullying to the administration.
- j. **Family Education.** Each year, our school will provide families with information about the Anti-Bullying Policy, prevention activities and how families can reinforce anti-bullying at home and in the community. Students and their parents/legal guardians will be made aware of the policy at the beginning of the school year and required to sign off that they have read and understand the policy. Families will be provided with information throughout the year in regards to the Anti-Bullying Policy, ways to prevent bullying and working with school staff to create a safe school environment through Parent Involvement Nights, School Newsletters, phone calls and conferences.
- k. **Policy Dissemination.** This policy shall be disseminated annually to all school staff, students, and parent/s or legal guardian/s during functions such as Parent Involvement meetings, Parent-Teacher Conferences, other school sponsored activities/programs, and other written communications. The Policy will also be posted on the school's web site. Additionally, a written or verbal statement will explain that this Policy applies to all acts of bullying that occur on school property, at school sponsored functions, or on any form of school transportation. The Superintendent or his/her designee shall develop an annual process for discussing with the students and school staff the School policy on bullying.

All employees, students, and parents/legal guardians will sign a written statement indicating they have received, read, and understood the policy and agree to abide by the provisions of the policy. Failure to abide by this policy or neglecting to report acts of bullying will result in administrative action.

2. SEXUAL HARASSMENT POLICY.

It is the policy of Crazy Horse School, in accordance with providing a positive, discrimination-free school environment, that sexual harassment in the School directed by or at students is unacceptable conduct that will not be condoned.

a. **Definition.**

Sexual harassment is unsolicited, nonreciprocal behavior by staff or student which causes a student to submit to unwelcome sexual words, conduct, behavior, or activity of any kind, or to fear that he or she would be punished for refusal to submit. Sexual harassment also includes any conduct unreasonably interfering with another's school attendance or school performance by creating an intimidating, hostile, or offensive school environment. Sexual harassment consists of a variety of behaviors by employees or students directed to students including, but not limited to, subtle pressure for sexual activity, inappropriate touching, inappropriate language, demands for sexual favors, and physical assault.

Crazy Horse School will, in the event of an alleged student perpetrator, treat sexual harassment as a major rule infraction. Other sexually harassing conduct in the school system is prohibited and includes:

- i. Unwelcome sexual flirtations, touching, advances, or propositions;
- ii. Verbal abuse of a sexual nature, jokes or stories that the victim has previously or clearly communicated are unwelcome;
- iii. Graphic or suggestive comments about an individual's dress or body;
- iv. Sexually degrading words to describe an individual; and
- v. The display of sexually suggestive objects or pictures, including photographs.

b. **Responsibility.**

Board members and employees are responsible for maintaining a learning environment free from sexual harassment. Orientation will be provided for students at the beginning of each school year to explain policy and law.

c. **Procedure.**

Any student who believes she or he has been the victim of sexual harassment by another person on the School premises, during school hours, or at school related activities should report such incident immediately to a staff member. That staff member shall immediately report the incident to the Principal. Students shall make such report of incidents in writing. If the student's teacher is responsible for the harassment, the student shall report the harassment to the Principal or counselor. An investigation shall be completed regarding said report. The school cannot take appropriate action if it does not receive notice of allegations of sexual harassment. The school shall follow the consequences for Level III offenses as listed in the Behavioral Matrix.

If a student is disciplined due to sexual harassment, the student may proceed with the established grievance procedures if he or she is dissatisfied.

False allegations that are malicious or ill-founded may constitute libel or slander. An investigation shall be completed regarding said false allegations. The individual who made the

false allegations may be subject to discipline up to and including expulsion. The school will, however, insure that allegations, made in good faith by individuals shall not subject the complaining individual to discipline.

3. Internet Use.

- a. **Purpose.** This policy applies to all Crazy Horse School students who are accessing the Internet using Crazy Horse School equipment and/or telephone lines. All students must sign a Technology Use Contract. **Appendix 12.** The primary goals are to:
 - i. Protect the information assets of the Crazy Horse School.
 - ii. Establish student accountability and responsibility for the acceptable use of the Internet.
 - iii. Protect Crazy Horse School from liability resulting from illegal use of the Internet.
 - iv. To permit student internet use access only to further educational goals and objectives established by the School.
 - v. To educate students using modern technology which students will need to be familiar within order to be successful in their careers post-graduation.
- b. **Expected Behavior.** Crazy Horse students, and other affiliated persons who use Crazy Horse School computing facilities to access the Internet are expected to exercise responsible and ethical behavior and will be held accountable for ensuring that such use:
 - i. Is consistent with Crazy Horse School values and policies.
 - ii. Protects the integrity and confidentiality of Crazy Horse records and computer and electronic assets.
 - iii. Does not violate any tribal or federal laws.

Failure to abide by this policy shall result in cancellation of Internet access privileges, disciplinary review, and/or legal action by the Board.
- c. **Procedures.** The following procedure shall be followed:
 - i. Each applicant requesting Internet access will read and sign the "Network and Internet Use Policy" and is responsible for knowing and understanding this policy. A copy of the "Network and Internet Use Policy" will be kept on file in the records office.
 - ii. Students who use the Internet shall be informed of their responsibility to use the services of the Internet in a manner which is consistent with the service, quality and education goals of Crazy Horse School before being granted access privileges.

iii. Abuse of the use of the Internet by Crazy Horse School students, including committing violations of tribal, federal, or state law and/or the use of Crazy Horse School equipment or telephone lines to engage in the procurement, storage, dissemination, or transfer in any fashion of pornography or lewd materials, photographs, visual depictions, or materials capable of being converted into visual depictions, shall make that student subject to immediate discipline as a major rules infraction.

d. **Allowable Uses and Disallowed uses.**

i. **Allowable uses.** With a proper signed permission form, a student may use the school network and the Internet to:

- a) Research assigned classroom projects;
- b) Use School email for School classroom allowable purposes only;
- c) Use Odyssey Ware; and/or
- d) Participate in online classes

ii. **Disallowed Uses.** The following uses are not permitted:

- a) Sending or displaying offensive messages or pictures;
- b) Using abusive, objectionable or obscene language;
- c) Searching for, downloading, or otherwise reviewing any type of sexually explicit, obscene material or other information for any non-instructional or non-educational purpose;
- d) Harassing, insulting or attacking others;
- e) Damaging computers, computer systems, or computer networks whether intentionally or unintentionally through misuse;
- f) Using any social networking site (including Facebook, Bebo, etc.), downloading music onto computers or playing games.

e. **Violation of School Policy.** Violation of this Policy may result in Student disciplinary action, loss of internet and network use privileges, criminal prosecution, or civil legal action to pursue compensation for damages to school property or reputation.

4. **STUDENT POSSESSION/USE OF PORTABLE COMMUNICATION DEVICES & ELECTRONIC DEVICES**

Parents/legal guardians and students will sign a Technology Use Contract that shows they understand this Policy. **Appendix 12.**

a. **Definitions.**

- i. **Portable Communication Devices – Definitions.** Portable Communication Devices are defined to include portable two-way communications devices, including but not limited to cellular telephones, beepers, walkie talkies, personal digital assistants, and other computing devices (when such device is being used as a communications device). This definition will also include any new technology developed for similar purposes.
- ii. **Electronic Devices – Definition.** Electronic Devices are defined to include any personal electronic that is used by a student to play music, communicate with others (including online communication), access media, take pictures, or otherwise cause distractions to students' education, including but not limited to cell phones, iPods, MP3 players, cameras, personal DVD players, Gameboys, electronic notebooks, smartphones, electronic tablets, and other computing devices.

b. **Restrictions on Use.**

- i. Students may not possess, display and use Portable Communications and Electronic Devices in the School Building, or at any time during the instructional day, or on field trips.
- ii. For the purposes of this policy manual the “instructional day” is defined as the moment a student enters the school building to the final dismissal bell. The “instructional day” includes, but is not limited to, study halls, lunch breaks, class changes and any other structured or non-structured instructional activity that occurs during the normal school day.

Students may request permission to use the school phone to contact parents/guardians for emergencies. Any portable communication devices including cell phones found upon entry to the School shall be held by Security until the end of the instructional day.

- i. Before or after the instructional day, students may possess, display and use such Portable Communication Devices.
- ii. **Portable Communications Devices at Before- or After-School Activities:**
Portable communications devices may not be activated, displayed, or used at before- or after-school activities by students.
- iii. Students may be disciplined for violation of this Policy, or disruptive or inappropriate behavior related to possession or use of portable communication devices at any time on school grounds or at school events.
- iv. **Portable Communications Device on Regular Bus Runs:** Portable Communications Devices may be activated, displayed, or used on a school board owned/leased school bus or vehicle by students being transported to and/or from school or school sponsored events, provided they do not interfere with the operation of the vehicle or driving of the vehicle, and their use conforms to directives of the driver.

- v. **Portable Communications Devices in Vehicles:** Portable Communications Devices may be housed in student owned or used vehicles on school property; however, their use is prohibited during school hours.
- c. **Responsibility/Liability.** The School Board, Principal, and school staff will assume no responsibility in any circumstance for the loss/destruction/damage or theft of Portable Communications and Electronic Devices or for any bill associated with the authorized or unauthorized use of Portable Communications Devices. Students will be responsible for locating such lost/stolen items.
- d. **Discipline.** Evidence of unauthorized or disruptive use will result in disciplinary action according to the Discipline Policy as specified in the Code of Student Conduct and/or reports to law enforcement authorities.
- i. **First Infraction.** School officials shall take possession of Portable Communications Devices until the end of the school day for any violation of this Policy. Students must make arrangements with school officials to claim such devices. Specific times may be established by school officials for students to retrieve such devices. Students are subject to consequences for a Level 1 Offense under the Behavioral Matrix.
- ii. **Second Infraction.** Upon a student's second infraction of the Portable Communications and Electronic Device policy, school officials shall take possession of the device for **five business days**. Parents/legal guardians/adult students must make arrangements with school officials to claim such devices and may retrieve the device within five business days. Specific times may be established by school officials for parents/legal guardians/adult students to retrieve such devices. Confiscated Portable Communications and Electronic Devices may be released to minor students if the parent/guardian gives permission by phone or by other means. Students will also receive a Detention to be served that day.
- iii. **Third Infraction.** Upon a student's third infraction of the Portable Communications and Electronic Device policy, school officials shall take possession of the device for **ten business days**. Parents/legal guardians/adult students must make arrangements with school officials to claim such devices at the end of the semester. Specific times may be established by school officials for parents/legal guardians/adult students to retrieve such devices. Confiscated Portable Communications and Electronic Devices will not be released to minor students under any circumstances. Students will also receive a Detention to be served that day. Student will be considered for In-School or Out of School Suspension by the Principal for a period of time not to surpass three school days.
- If a student refuses to surrender their device, this act will be considered open defiance (a level IV infraction) and the School may follow the consequences given in the Behavioral Matrix.
- iv. **Reasonable Searches.** As a condition of possessing and using a Portable Communications Device on school property, at school sponsored events or while traveling to and from school, students and their parents/legal guardians are deemed to have consented to reasonable

searches of the Portable Communications Device. A Portable Communications Device may be searched or reviewed by school personnel or authorized agents when reasonable suspicion exists that the Portable Communications Device was used in violation of this Policy, the Code of Student Conduct or other law or regulation. School personnel may use other information obtained from the Portable Communications Device during such review as the basis for discipline or referral to other appropriate authorities.

5. TOBACCO USE AND VAPING.

Use of tobacco products including e-cigarettes, or any instrument used to vape any substance is prohibited. Students shall not smoke or use tobacco products including e-cigarettes in any form, nor any instrument used to vape any substance, tobacco at any time during school activities or on school grounds. Even if a student has reached the age of 18, they are not allowed to use tobacco products nor any instrument used to vape any substance on school grounds or at a school sponsored activity. Any student found violating this section shall be subject to the consequences listed in the Behavioral Matrix for Level IV offenses.

6. DRESS CODE

Student dress should meet standards of health and safety, not be obscene or disrupt the educational process, nor wear clothing that promotes illegal substances or/and alcohol or gang activity or be of a revealing nature. No headgear is allowed which includes but is not limited to but to include: (stocking caps, hooded sweatshirts, headbands, hats, scarves, baseball caps, cowboy hats, and do rags/raps)

Rules concerning student dress may be established by the administration to assure that student dress meets standards of healthfulness and safety and does not disrupt the education process or oppose any policy of the school All students are expected to follow the rules of common courtesy and show proper respect in their dress. It is inappropriate to wear anything that causes health or security concerns, distracts from or disrupts the learning environment or educational process. Examples of inappropriate items or clothing are (but not limited to):

- a. Sagging pants (pants worn below the waist);
- b. Obscene/ Profane clothing (pictures, emblems, words);
- c. Drug, alcohol or tobacco-related items on clothing;
- d. Very short skirts/shorts (hem must be 2 inches below fingertips when arms held parallel to body);
- e. Transparent clothing;
- f. Tight clothing, or clothing that reveals your underwear;
- g. Underwear (when worn as outer wear);
- h. Headgear (hats, headbands, caps, bandanas, and hoods);

- i. Shirts that do not meet or fall below the waistband of your pants;
- j. Halter tops, midriff tops, spaghetti straps or otherwise revealing clothing;
- k. The exhibition of gang related clothing including gloves, scarves, colors, bandanas, headbands, caps, hoods, head wraps, etc. will not be tolerated;
- l. No heavy chains or chain style belts will be allowed;
- m. Hooded sweatshirts may be worn as a second layer when the temperature is cold. Hooded sweatshirts must be clean and appropriated-sized (no oversized coats that could cause a security problem);
- n. Students will not wear shoes that have “wheelies.”;
- o. If a student comes to school with visible hickey(s) they must cover them up or they may be excluded from the classroom.

7. STUDENT CONDUCT DISCIPLINE AND SUPPORT PROCEDURES.

Students are expected to adhere to Lakota Values and conduct themselves in a respectful manner while at school or school related activities. The student is responsible for learning the following rules that govern the activities of the school environment. Unacceptable behavior by the student will result in immediate disciplinary action by the respective Principal or designee. CHS has adopted and will implement Restorative Practices which focus on building classroom and school wide communities. The rules of each of the elementary, middle and high schools which are in addition to the rules below are hereby incorporated by reference in the respective Student Handbook and made a part of these policies. Students are responsible for following those rules as well.

a. Minor School Rules.

Rule 1: Students will follow good health and safety practices at all times, at school and at school related activities.

Rule 2: Students will attend and be on time for all scheduled classes.

Rule 3: Students will return home at the end of the school day.

Rule 4: Students are responsible for care and cleanliness of school property. Any student committing minor vandalism (writing with pencil or other utensil on school property, creating a mess, destroying school property, etc.) may be subject to detention, including cleaning up and/or fixing the vandalism.

Rule 5: Students will adhere to all reasonable requests. Students are expected to follow all teacher/staff directions in class, hallways, and all school property. The failure of a student to follow the directions or requests of a staff member of the school may be required to serve detention.

Rule 6: Students will adhere to the School Dress Code. Any student in violation of the dress code may be required to change clothes either brought from home or given from the counselor.

Rule 7: Students will adhere to the Internet Usage Policy. Students found using any social networking site (including Facebook, Bebo, Etc.), downloading music onto computers, or playing games during work time may serve detention and may have internet privileges limited or revoked.

Rule 8: Students shall not display inappropriate displays of affection. Inappropriate displays of affection include kissing, groping, excessive hugging, giving hickies, or vulgar acts. Holding hands and short hugs will generally not be regarded as inappropriate.

Rule 9: Students shall adhere to the School's Possession and Use of Portable Communication Devices & Electronic Devices Policy.

Minor Rule Infractions. All minor rule infractions will result in disciplinary action appropriate to the age, circumstances, and educational level of the student. The School Board will adopt a matrix of disciplinary action for infractions annually and include the Matrix in the Student Handbook. The goal of this process is to educate the student on all school rules and their consequences and to teach proper behavior.

b. **Major School Rules.** These major rules include, but are not limited to:

Rule 1: Students will neither cause damage to or steal school or other's personal property.

Rule 2: Students will not endanger the life, health, or safety of themselves or others while at school or school related activities.

Rule 3: Students will not come to school under the influence of any drug or alcohol. Such conduct constitutes a Level V Offense and the student will be subject to Level V consequences in accordance with the Behavioral Matrix. If a student is suspected of being under the influence, the Principal and security will be notified to investigate. If school officials have reasonable suspicion that a student is intoxicated or under the influence, Public Safety will be notified and the offending student may be removed from the school premises to ensure the school campus is safe for all teachers and students.

Rule 4: Students will not engage in any gang related activity including but not limited to writing, paraphernalia, insignia, signals, graffiti, and phrases or related clothing. Violation of this Rule will be considered a Level IV Offense pursuant to the Behavioral Matrix and a safety risk and a violation of the Tribal code. Such a student is subject to Level IV consequences in accordance with the Behavioral Matrix. Principal may notify Public Safety and report as gang-promotion.

Rule 5: Students will remain on the school campus during the school day until and unless

dismissed.

Rule 6: Students will not violate the School Bullying Policy.

Rule 7: Students will not instigate or participate in a fight while at school or school related activities. Any student involved in the instigation of a fight may also be subject to criminal prosecution for assault. Any student witnessing, recording, or encouraging a fight may also face discipline or prosecution. The school security and the Principal will attempt to determine the instigator(s) in the incident, who may be subject to more severe discipline. Such conduct is considered a Level III or IV Offense under the Behavioral Matrix.

In the case of a fight, the school will hold students and contact Public Safety immediately to remove the student(s) from the premises. Such a student will be subject to Level IV consequences in accordance with the Behavioral Matrix. If a student leaves the premises after participating in a fight, Public Safety will be advised and the student will not be allowed to return to school until they have met with Public Safety.

Rule 8: Students will not smoke cigarettes or possess any tobacco products, including e-cigarettes, nor any instrument used to vape any substance while at school or at school related activities. If a student under 18 years of age is found possessing or using tobacco products, including e-cigarettes or any instrument used for vaping, Public Safety will be contacted. Lighters are considered contraband for students and not allowed in the school. **NO student, regardless of age, will be allowed to possess or use tobacco products on school grounds.** Such conduct is considered a Level III or IV Offense and students are subject to corresponding consequences pursuant to the Behavioral Matrix.

Rule 9: Alcohol or illegal drug possession and use is strictly prohibited while on school grounds or school related activities. CHS does not permit the possession or use of CBD products or any products containing THC, unless the student has a medical prescription and the medication is dispensed by authorized school personnel as with all other prescription medications. The following may be considered prohibited drugs due to their history of illegal use, danger to students' health: air duster, computer cleaner, paint thinner, synthetic drugs, etc. The following may be considered an illegal drug especially if the student is suspected of using inappropriately or for huffing: Any aerosol cans (including hairspray), glue, cleaning supplies, etc. Such conduct is considered a Level V Offense and students are subject to Level V consequences pursuant to the Behavioral Matrix.

Rule 10: Students will not carry or use any weapon or object that can be used as a weapon including guns (of any kind including BB gun or Pellet gun), knives (including kitchen and pocketknives), brass knuckles or any other object that is used with intent to cause bodily harm. Such conduct is considered a Level VI Offense and students are subject to Level VI consequences pursuant to the Behavioral Matrix.

Major Rule Infractions: Major rule infractions are those behaviors, which endanger the life and safety of others or themselves. These also include damage to private or public property. All major rule infractions will result in disciplinary action appropriate to the age, circumstances, and

educational level of the student.

The School Board will adopt a Behavioral Matrix of disciplinary action for infractions annually and include the Matrix in the Student Handbook. The goal of this process is to educate the student on all school rules and their consequences and to teach proper behavior, and to prevent and remedy threats or damage to the health and safety of students, staff and the School. In addition, the School Principal shall offer counseling to the Parent and the student.

8. ELEMENTARY SCHOOL BEHAVIORAL MATRIX

The School outlines the Elementary School Behavioral Matrix as follows:

Offense	Description of Offense	1st Offense	2nd Offense	3rd Offense
Abusive / Inappropriate Language	Bad language, swearing or cursing.	Teacher / Regulate Behavior, Privilege Restriction, Notify Parent(s) / Guardian(s).	Referral for Counseling, Notify Parent(s) / Guardian(s)	Referral to Principal / Designee, Half hour detention after school 1-4 days
Fighting / Physical Aggression	Physical Aggressive Behavior including any behavior that shall cause bodily injury/assault to any other student or staff member at the CHS.	Referral to Child Advocate, OSS 1-3 days, Notify Parent(s) / Guardian(s). See also Section 4.10(10) for expulsion procedures.	Referral to Principal / Designee, 1-3 days OSS, Behavior Plan, Notify Parent(s) / Guardian(s)	OSS Administrative Discretion 1-10 days, Parent(s) / Guardian(s) Conference Behavior Contract
Defiance or Disruption	Out of seat, beating on desk, excessive talking.	Teacher / Regulate Behavior, Privilege restriction.	Referral to Child Advocate, Notify Parent(s) / Guardian(s)	Refer to the Principal / Designee, After School Detention up to 4 days and / or 1-2 days OSS
Throwing Rocks, Snowballs, Objects, etc.	Throwing inappropriate objects such as rocks, snowballs, etc. at another student or near	Verbal Reprimand/ Redirection Conference w/ Admin	Parent Contact Project Aware Involvement 2-6 Hrs Detention Suspension w/ Parent Meeting	Parent Meeting Counselor Referral Project Aware Involvement 6-8 Hrs Detention

Offense	Description of Offense	1st Offense	2nd Offense	3rd Offense
	other students.			1-3 Days ISS Behavior Contract
Rough Contact Games	Games such as tackle football, wrestling, play fighting, rolling around on the ground, etc.	Verbal Reprimand/ Redirection, Conference w/ Admin	Parent Contact, Project Aware Involvement, 2-6 Hrs Detention, Suspension W/ Parent Meeting	Parent Meeting, Counselor Referral, Project Aware Involvement, 6-8 Hrs Detention, 1-3 Days ISS, Behavior Contract
Disobedience/ Disrespect	Not listening to commands from staff, make inappropriate comments to students or staff, etc.	Verbal Reprimand/ Redirection Conference w/ Admin	Parent Contact Project Aware Involvement 2-6 Hrs Detention, Suspension w/ Parent Meeting	Parent Meeting Counselor Referral Project Aware Involvement 6-8 Hrs Detention 1-3 Days ISS Behavior Contract. See also Section 4.10(10) for expulsion procedures.
Running in Hallways	Running in hallways to or from class or in other areas of the school.	Verbal Reprimand/ Redirection Parent Contact	Parent Contact Project Aware Involvement 2-6 Hrs Detention Each Offense	Parent/Student Conference Project Aware Involvement 4-8 Hrs Detention 1-3 days ISS
Cheating / Lying	Cheating on assignments.	“Zero” on assignment(s), Teacher / Regulate Behavior, Privilege Restriction, Notify Parent(s) / Guardian(s).	“Zero” on assignments, Referral to Child Advocate, Notify Parent(s) / Guardian(s)	Referral to Principal / Designee, “Zero” on assignment(s), After school detention up to 4 days, Notify Parent(s) / Guardian(s), and / or 1-day OSS
False Info Statements to Admin	Making incorrect or untrue	Verbal Reprimand/	Parent Contact Project Aware	Parent/Student Conference

Offense	Description of Offense	1st Offense	2nd Offense	3rd Offense
	statements to staff about one's self, other students or staff.	Redirection Parent Contact	Involvement 2-6 Hrs Detention Each Offense	Project Aware Involvement 4-8 Hrs Detention 1-3 days ISS
Prohibited Items/Devices/ Snacks	Bringing inappropriate items to school.	Verbal Reprimand/ Redirection, Parent Contact, Item Confiscation	Parent Contact, Project Aware Involvement, 2-6 Hrs Detention Each Offense, Device Confiscation	Parent/Student Conference, Project Aware Involvement, 4-8 Hrs Detention, 1-3 Days ISS, Device Confiscation
Possession, Selling, Distribution, Manufacture, or Use of Contraband, Drugs, Alcohol, or Tobacco	Possession, Selling, Distribution, Manufacture, or Use of illegal / inappropriate items such as weapons, alcohol, drugs, or tobacco on school property. Weapons are those items that could inflict bodily injury, make threats of bodily injury, or upon use could inflict serious bodily injury.	1-3 Days ISS or OSS, Parent Contact, Counselor Referral, Project Aware Involvement. See also Section 4.10(10) for expulsion procedures.	Parent meeting, project aware Involvement, 1-3 days ISS, behavior contract, 3-5 days ISS/OSS if verbal abuse directed towards staff	Parent meeting/Counselor referral, project aware Involvement, 5-10 days ISS/OSS, behavior contract, Pyramid Process of ISS
Bullying	Bullying of other students. Depending on severity and duration of incident.	Step 1 of Bullying Policy Intervention, Warning, Redirecting. Meeting with Teacher, Referral to Child	Step 2 of Bullying Policy Formal Meeting with Parent(s) / Guardian(s), Referral to Principal / Designee. Child	Step 3 of Bullying Policy Referral to Principal / Designee Student hearing to determine

Offense	Description of Offense	1st Offense	2nd Offense	3rd Offense
		Advocate, Principal, Staff Member.	Advocate, /OS	expulsion. OSS up to 10 days Pending hearing date.
Tardiness	Arriving to school / class late.	Verbal Reprimand/ Redirection Parent Contact	Parent Contact Project Aware Involvement 2-6 Hrs Detention Each Offense	Parent/Student Conference, Project Aware Involvement, 4-8 Hrs detention, 1-3 days ISS
Skipping / Leaving Class & Attendance	Leaving class without permission, Off limit area Absent from school.	Teacher / Regulate Behavior, Loss of privileges, Contact Student advocate, security, or principal as soon as possible for off limits. Notify Parent(s) / Guardian(s)	Referral to Child Advocate and other outside agencies per CHS Attendance Policy. Notify Parent(s) / Guardian(s)	Home—Visits w/ Homeschool Liaison with Parent(s) / Guardian(s). Outside agencies will be contacted per CHS Attendance Policy.
Property Damage / Vandalism	Drawing on desk, Restroom walls / stalls, destruction of books etc.	Teacher / Regulate Behavior Repair / Clean up (Age Appropriate) Notify Parent(s) / Guardian(s)	Repair / Clean up (Age Appropriate) Restitution, Notify Parent(s) / Guardian(s) 1-4 days detention/OSS	OSS at Administrative Discretion for 1- 10 days Refer to outside agency
Theft	Minor Theft: Teacher / Regulate Behavior, loss of privileges, restitution.	Teacher / Regulate, Loss of Privileges, restitution, Notify Parent(s) / Guardian(s) 1 - day loss of privileges	Referral for counseling, Restitution of stolen items. Notify Parent(s) / Guardian(s).	Referral for home visit. Restitution of stolen items. Notify Parent(s) / Guardian(s)
Dress Code Violation	Students dress	Teacher regulate	Referral to Child	Referral to

Offense	Description of Offense	1st Offense	2nd Offense	3rd Offense
	must meet standards of health & safety not be obscene, promote illegal substances or alcohol, gang activity or revealing.	dress code, Change clothing, Notify Parent(s) / Guardian(s)	Advocate, Change clothing, Contact Parent(s) / Guardian(s)	Referral to Principal / Designee for referral to outside agency as recommended. Notify Parent(s) / Guardian(s).
Student Possession/Use of Portable Communication Devices and Electronic Devices	Violation of the Student Possession/ Use of Portable Communication Devices and Electronic Devices Policy	Admin. shall take possession of device until the end of the School day. Parent(s)/ Guardian(s) must make arrangements to pick up the device. Students may also receive detention to be served that day.	Admin. shall take possession of device for one week. Parent(s)/ Guardian(s) must make arrangements to pick up the device. Students may also receive detention to be served that day. Students will also be considered for ISS by the Principal.	Admin. shall take possession of device for the remainder of the semester or trimester. Parent(s)/ Guardian(s) must make arrangements to pick up the device at the end of the semester. Students may also receive detention to be served that day. Students will also be considered for ISS or OSS by the Principal for a period of time not to surpass three school days.
Internet Use	Abuse of the internet by CHS students in violation of the Internet Use Policy.	Teacher / Regulate Behavior. Loss of internet and network use privileges 1-10 days.	Criminal Prosecution, Notify Parent(s) / Guardian(s)	Civil action to pursue compensation for damages to school property / reputation, Notify Parent(s) / Guardian(s)
Use of Gang Related Signs / Symbols / Language	Any behavior that promotes gang violence	Teacher referral to the principal, Child Advocate.	Counseling- Education on Gangs.	Student Hearing to determine expulsion. OSS at

Offense	Description of Offense	1 st Offense	2 nd Offense	3 rd Offense
	including gang colors, gang activity.	Notify Parent(s) / Guardian(s). See also Section 4.10(10) for expulsion procedures.	Behavior Contract. Notify Parent(s) / Guardian(s)	Administrative Discretion for 1-10 days Notify Parent(s) / Guardian(s)

9. MIDDLE AND HIGH SCHOOL BEHAVIORAL MATRIX

Before a teacher sends the student out of class, there has to be an effort to redirect the undesired behavior. Redirecting the behavior means taking the undesired behavior and modeling appropriate behavior to the student. A student failing to respond to the redirection after these steps should be sent to the Dean of Students, Assistant Principal, or High School Principal. The sending of a student to those offices should be an announced departure by contacting the Dean, Assistant Principal, or High School Principal. The Counselor may be contacted if the others are unavailable. Teachers and other staff may not give a student in-school suspension. The only people who may assign in-school suspension are the Dean of Students, Assistant Principal, Principal, or Counselor, unless there is an emergency situation that is best managed through isolating disruptive behavior.

As the position and overall objective of the School is to ensure that we are focused on educating our students about the value of positive social interaction to include influencing collaboration and teamwork which contributes to career and college success, students are strongly encouraged to follow school rules. Serious offenses or repeat offenses could require the student to be suspended out of school. In the case of an out of school suspension, the student will not receive school work. This undermines the value of the school environment as well as the value of classroom performance. Students are strongly encouraged to refrain from situations that could result in an out of school suspension. Parents/Guardians will be notified for any Step 3 Disciplinary Action pursuant to the Letter attached as **Appendix 13** to this Policy Manual.

Note: All level of offenses involving drugs, alcohol, tobacco use (including vaping) are subject to a referral to counseling to promote CHS's focus on prioritizing education and encourage students to seek and receive support.

The School outlines the Middle and High School Behavioral Matrix as follows:

- a. **Level I Offenses.** Level I offenses are minor acts of misconduct that interfere with the orderly operation of the classroom, anything which is disruptive to the educational process, a school function, extracurricular/co-curricular program, or approved transportation. The **school employees** shall intervene in the misconduct. If further action is necessary, the school employees should refer the student to the school administrator for disciplinary action via incident report. After three (3) infractions, Project Aware Staff may be involved to help support the student with appropriate behavior expectations. These infractions include, but are not limited to:
 - i. Classroom Disruption;

- ii. Bullying Behavior (Refer to School Bullying Policy, 4.10(1));
- iii. Dress Code;
- iv. False and/or Misleading Information to Include on Student Statements;
- v. Public Displays of Affection;
- vi. Insubordination;
- vii. Intentionally causing a Public Inconvenience, Annoyance, or Alarm to Any Other Person;
- viii. Making Unreasonable Noise that Inhibits the Learning Process;
- ix. Profane, Obscene, Abusive Language/Materials and/or Gestures (directly or indirectly applied);
- x. Prohibited Items: Portable Radios, Headphones, Electronic Toys, Video Games, Skateboards, Roller Blades, Roller Skates, Water Balloons, Laser Pointer-Type Devices, Disruptive Electronic Devices and/or Cell Phones;
- xi. Prohibited Snacks: Gum, Candy, Sunflower Seeds, and Any Type of Food;
- xii. Running in School Hallways; and/or
- xiii. Tardiness.

b. Consequences for Level I Offenses.

i. First Offense –

- a) Verbal Reprimand and Redirection;
- b) In the case of an electronic device, the device will be confiscated and returned to the student at the end of the day. This student will receive a Level I incident for prohibited items.

If the student refuses to surrender prohibited items, this will be a Level IV infraction of open defiance;

- c) In cases of bullying, the school may decide a plan is necessary after the first incident. This plan will discuss the problem, solutions, and reinforce the zero tolerance bullying policy. (Refer to School Bullying Policy 4.10(1)(E) for bullying intervention steps); and/or

- d) In cases of dress code violations, a student will be asked to change into clothes brought from home or provided by the school counselor.

ii. **Second Offense –**

- a) Parent Contact;
- b) Project Aware Involvement;
- c) Detention 2-6 hours for each offense;
- d) In the case of electronic device, the device will be confiscated and held for five (5) days or until the parent(s) or guardian(s) recover the device. The parent(s) or guardian(s) may pick up the device any time before the 5 days, or call the school to give permission to return the prohibited item. If the student refuses to surrender prohibited items, this will be a level IV infraction of open defiance; and/or
- e) In cases of bullying, the school may decide to develop an Individual Behavior Plan. This Plan may require a student to sign an anti-bullying contract, attend individual sessions with a counselor or other designated staff, bullying education, and other recommendations deemed necessary by the school. (Refer to School Bullying Policy 4.10(1)(E) for bullying intervention steps).

iii. **Third Offense (or more offenses) –**

- a) Parent & Student Conference;
- b) Project Aware Involvement;
- c) Detention 4-8 hours;
- d) 1-3 days of In-School-Suspension;
- e) There are more severe offenses that may result in out of school suspension;
- f) In the case of an electronic device, the device will be confiscated and returned to the parent(s) or guardian(s) or in ten (10) days. If the student refuses to surrender prohibited items, this will be a Level IV infraction of open defiance;
- g) In cases of bullying, the Principal may hold a Student Hearing after reviewing the student's prior offenses involving bullying. The student may be placed in in-school-suspension for up to ten (10) days awaiting the Student Hearing. (Refer to School Bullying Policy 4.10(1)(E) for bullying intervention steps; and/or
- h) For more serious offenses, the objective is to meet with the parent and the student to secure parent support and/or awareness to the concerning violations. The

Principal may suspend students with Project Aware Staff escorting the student home or asking parents to come in the next day for a meeting to discuss the situation.

- c. **Level II Offenses.** Level II offenses are acts of misconduct that are more serious or disruptive than the offenses in Level I. Level II also includes repeated acts of misconduct from Level I and acts directed against people or property that do not seriously endanger the health and safety of others. This misconduct must be reported to the appropriate school administrator via incident report for disciplinary action. The administrator will follow the procedure designated as Level I when investigating the situation and deciding on disciplinary action. These infractions include but are not limited to:
- i. Cheating;
 - ii. Destruction of Property/Vandalism (Less than \$10);
 - iii. Disobedience and/or Disrespect (not following directive of staff, refusing to do work);
 - iv. Repeated Dress Code Violations;
 - v. False or Misleading Information to include forgery, failure to report, or withholding information;
 - vi. Gambling;
 - vii. Inappropriate Internet Usage;
 - viii. Intimidation/Threats (may fall within school bullying behavior intervention program);
 - ix. Parking Lot Violation;
 - x. Prohibited: Cap and/or Water Guns, Tattoo Guns or Devices to Apply Tattoos to Other People, Cigarette Lighters, Matches, or any other Flammable Devices;
 - xi. Repeated Level I Offenses (to include disorderly conduct);
 - xii. Theft;
 - xiii. Unauthorized Absence from School or Class;
 - xiv. Unauthorized Assembly and/or Publications;
 - xv. Any other intermediate act of misconduct or any more serious, harmful, or disruptive behavior (e.g., any of the offenses described in Level I;
 - xvi. Throwing Rocks, Snowballs, or Objects; and

xvii. Rough Contact Games (Wrestling, Piggyback Riding, Tackling, etc.)

d. **Consequences for Level II Offenses.**

i. **First Offense** – Verbal Redirection Conference with Administration

ii. **Second Offense** –

a) Parent Contact;

b) Project Aware Involvement;

c) Detention 2-6 hours for each offense;

d) Openly defiant behavior as a second offense will result in a suspension with a scheduled parent meeting; and/or

e) In cases of cheating, the student may receive a “zero” on the assignment(s) related to the incident.

iii. **Third Offense (or more offenses)** –

a) Parent/Guardian Meeting;

b) Project Aware Involvement;

c) Detention 6-8 hours;

d) 1-3 days of In-School-Suspension;

e) Behavior Contract;

f) In cases of skipping/leaving class and attendance issues, home-visits with the student’s parent(s) / legal guardian(s) and the homeschool liaison may be arranged;

g) In cases of cheating, the student may receive a “zero” on the assignment(s) related to the incident; and/or

h) For more serious offenses, the objective is to meet with the parent and the student to secure parent support and/or awareness to the concerning violations. The Principal may suspend students with Project Aware Staff escorting the student home or asking parents to come in the next day for a meeting to discuss the situation.

e. **Level III Offenses.** Level III infractions are major acts of misconduct or those of serious nature. They include repeated misconduct acts from Level II, serious disruptions of school order and threats to the health, safety, and property of others. The misconduct must be reported promptly to the school administrator, who may remove the student from the school or activity immediately and may result in immediate suspension of the student from school. These infractions include, but are not limited to:

- i. Assault this includes assault on staff. Assault and Battery is a situation where there are threats as well as physical contact, which carries the same consequence;
- ii. Insubordination/Open Defiance;
- iii. Inciting, Leading, or Participating in any act which substantially disrupts the orderly conduct of school or school function;
- iv. Possession of Contraband Material;
- v. Robbery/Extortion;
- vi. Repeated Misconduct of Level I and II Offenses;
- vii. Sexual Harassment;
- viii. Possession of Tobacco Products;
- ix. Trespassing;
- x. Vandalism.

f. **Consequences for Level III Offenses.**

i. **First Offense –**

- a) In-School Suspension (1-3 days) or Out-of-School Suspension (1-3 days). Out of school suspension if verbal abuse directed toward staff at the discretion of the Principal;
- b) Parent Contact;
- c) Counselor Referral;
- d) Project Aware Involvement;
- e) For more serious offenses, the objective is to meet with the parent and the student to secure parent support and/or awareness to the concerning violations. The Principal may suspend students with Project Aware Staff escorting the student

home or asking parents to come in the next day for a meeting to discuss the situation.

ii. Second Offense –

- a) Parent Conference;
- b) Project Aware Involvement;
- c) In-School Suspension (1-3 days);
- d) Behavior Contract;
- e) In/Out of School Suspension (3-5) days if verbal abuse is directed toward staff at the discretion of the Principal.

iii. Third Offense (or more offenses) –

- a) Parent/Guardian Meeting;
- b) Counselor Referral;
- c) Project Aware Involvement;
- d) In/Out of School Suspension (5-10 days) at discretion of the Principal;
- e) Behavior Contract;
- f) **Pyramid Process of in-school suspension (intervention program as recommended).**

g. Level IV Offenses. Level IV infractions include but are not limited to:

- i. Fighting (this does not include self-defense; the student who tries to walk away from a conflict will be exonerated);
- ii. Bullying Behavior (reference school policy regarding Bullying Intervention Program);
- iii. Tobacco Use on Campus (chewing or smoking, including vape pens);
- iv. Repeated Open Defiance/Gross Insubordination;
- v. Use of Gang Related Signs, Symbols, or Language intended or reasonably calculated to insult and/or incite another person. (bandanas and colors affiliated with gang culture as determined by administrator will not be allowed on campus); and/or

vi. Breaking and Entering.

h. Consequences of Level IV Offenses.

i. First Offense –

- a) In School Suspension 3-5 days;
- b) Parent Contact;
- c) Counselor Referral;
- d) Project Aware Involvement;
- e) Behavior Contract (Intervention Program Required);
- f) Student Behavior Plan; and/or
- g) Pyramid Process (This may be prior to out of school suspension if all requirements are not met).

ii. Second Offense –

- a) In/Out of School Suspension (1-3 days) at the discretion of the Principal;
- b) Parent Conference;
- c) Counselor Referral;
- d) Project Aware Involvement;
- e) Review of Behavior Contract;
- f) Fighting will be an out of school suspension minimum of one day; students defending themselves will not be suspended.

iii. Third Offense –

- a) In-Out of School Suspension (3 days). Possible referral for expulsion hearing at the discretion of the Principal.
- b) Parent Contact;

iv. Note: It must be understood that repeated infractions may require more direction for the student and/or parent. Project Aware and other support will be involved in the process to support appropriate behavior. The purpose is to clearly define the

expectations of students while attending CHS or participating in school activities. Our objective will remain to educate the student, parent/guardian, and the community about expectations and how they are defined at CHS. Our objective is to influence student presence, not eliminate or compromise student presence through in/out of school suspensions. We need out students in school, however, we must provide an environment that supports a comfortable and valued opportunity for all. Therefore, behavior consequences may be reduced with student and/or parent engagement in informative trainings related to defining the expectations at CHS.

- i. **The Pyramid Process.** The Pyramid Process will include the student demonstrating appropriate behavior while in the traditional school setting. Each week the student will receive more time to demonstrate that they understand the expectations of CHS by not getting any negative incident reports.
Example: The Pyramid may include a 15-day process where the student is assigned. This process would be carried out as follows:
 - i. **Week One: Five Days of ISS;**
 - ii. **Week Two: Four Days of ISS;**
 - iii. **Week Three: Three Days of ISS;**
 - iv. **Week Four: Two Days of ISS;**
 - v. **Week Five: One Day of ISS.**

During this process, the student may not incur any negative incidents or the process will start over. The requirement to start over will be at the discretion of the administration. The student must have completed the required training related to behavior violations prior to assigning the student to the Pyramid Process.
- j. **Violent Behavior.** Verbal threats, intimidation (verbal and non-verbal), bullying behavior or any act of representing that of a physical menace such as to put another in fear of imminent serious bodily harm by threatening gestures toward students and/or staff and/or other persons, encouraging/initiating others to fight, physical contact with another person with intent to harm or injure another person physically or mentally (fighting, grabbing, wrestling, pushing, shoving, etc.), threatening to strike another person with an object with intent to injure that person or other behaviors which may be determined by staff and/or administration as violent fighting, assault and/or assault and battery may result in Law Enforcement Referral.
- k. **Level V Offenses.** Level V infractions include but are not limited to:
 - i. **Drugs, Alcohol (possession, using, and/or under the influence);**

- ii. Possession of Drug Paraphernalia;
- iii. Fireworks/Firecrackers; and/or
- iv. False Fire Alarm.

l. **Consequences for Level V Offenses.**

- i. Consequences for drugs and alcohol, see Major School Rule 3.
- ii. Consequences for false alarms, bomb threats, and any other action or threat which causes alarm to the general public will result in immediate suspension with recommendation for expulsion and may require law enforcement referral.

iii. **First Offense –**

- a) In/Out of School Suspension (3-5 days) at the discretion of Principal;
- b) Parent Meeting;
- c) Counseling Referral;
- d) Project Aware Involvement;
- e) Behavior Contract;
- f) Drug and Alcohol offenses will be reduced if student participates in drug/alcohol assessment and agrees to contract terms.

iv. **Second Offense –**

- a) Parent Meeting;
- b) Counseling Referral;
- c) Project Aware Involvement;
- d) Behavior Contract; and/or
- e) In/Out of School Suspension pending further administrative action (recommendation for expulsion) at discretion of Principal.

m. **Level VI Offenses.** Level VI infractions include but are not limited to:

- i. Weapons*;

- ii. Explosives*; and/or
- iii. Arson* (mandatory referral to an appropriate agency). Public Safety will be notified immediately.

n. **Level VI Consequences.**

First Offense – Suspension 1-3 days pending further administrative action (recommendation for expulsion) at the discretion of the Principal. Project Aware will be utilized as much as possible in situations as those listed below.

o. **Situations Greater Defined.**

- i. **Weapons.** Any student found in possession of/or transporting a weapon during school hours to and from school function, activity, or event whether or not held on school grounds will immediately be reported to the local/state police and presented to the Board for formal expulsion hearing proceedings. Weapons include any implement or homemade weapon for the infliction of serious bodily injury, which serves no common lawful purpose. This could include rubber bands and paperclips.

The term weapon shall include but not limited to: ammunition, any loaded or unloaded firearm (including, but not limited to rifles, shotguns, pistols, zip guns, pellet guns, B.B. guns, and lookalike firearms), any explosive, pyrotechnics or incendiary device of any kind, such as smoke bombs, firecrackers etc., any bowie knife, hunting knife, dirk knife, lock blade knife, or any other similar knife, razors or cutting instruments, pipes, clubs, brass knuckles, tasers, nun-chuck s ticks, and chemical agents such as mace, pepper gas, etc.

- ii. **Possession.** Being on the person of the student, in the student’s locker, or otherwise under his/her control.
- iii. **Other.** Any other major act of misconduct which seriously disrupts the orderly operation of the school, program, or any school activity or transportation services which threatens the health, safety, or property of self or of others or behavior not specifically described about which substantially disrupts the orderly conduct of school, school function, or extracurricular activity.

q. **Intervention Programs Provided.**

- i. Project Aware individual or group meetings for student and parent;
- ii. Bully Intervention may be required according to bullying policy and procedure;
- iii. Life Skills associated with frequent behavioral violations (repeated insubordinate matters, repeated misconduct related to infractions);

- iv. Drug & Alcohol Education; and/or
- v. Gang Awareness.

Note: All aspects of training may be personalized and required more than one session. Sessions are engaging and require student participation. Failure of the student to contribute during the training may result in repeating the session or for the student to complete original consequence (remaining days of suspension or detention). These trainings should be carried out during scheduled detention or as needed to accommodate parent/guardian participation. Student and parent/guardian should be sure to sign in and out of training.

9. DUE PROCESS.

Every student is entitled to due process in every instance of disciplinary action for alleged violation of school regulations.

- a. **General Hearing Procedures.** Hearings before the Superintendent shall be held only in cases of suspension longer than 10 school days or expulsion. A hearing shall be held within ten (10) calendar days of the date of the incident unless the school shows good cause for scheduling the hearing at a later time.
 - i. Notification of hearing: Written notice of the hearing date, time, place and procedural hearing rights will be made to the student and the student's parent or legal guardian at least five (5) days prior to the hearing.
 - ii. Right to a fair and impartial hearing:
 - a) Participants at the hearing shall be limited to involved parties.
 - b) All hearings shall be closed to the public. The school has the right to sequester witnesses.
 - c) The Superintendent shall designate a panel to include the three (3) employees appointed by the Superintendent for all hearings require under this section, preferably not from the same school (elementary, middle, high).
 - d) Right to counsel: The student and the student's parent or legal guardian may be represented by a personal representative or an attorney of her/his choosing at the student's own expense. At all times during the hearing, the student has the right to have her/his parent(s) or their designee present.
 - e) Right to cross-examine: The student has the right to confront and cross-examine any witness(es) against her/him and to produce witness(es) on her/his behalf. The school will not allow another student to be a witness against the student without the permission of that student's parent or legal guardian. The school will make every effort to protect any student who is a witness from any adverse actions

against him/her as a result of testifying against the student. No student will be compelled to testify against herself/himself. The school reserves the right to protect student witnesses from harsh, threatening, or intimidating cross-examination.

- f) The student and/or her/his parent(s)/legal guardian or legal counselor must be given enough time to examine all the evidence to be used against her/him to allow him/her to adequately prepare for defense. If the student and/or her/his parent(s)/legal guardian or legal counsel feel they have not had enough time to properly prepare a defense, the hearing panel Chairperson may grant a reasonable postponement.
- g) The hearing panel may issue an oral decision at the end of the hearing, or it may choose to issue a written decision, which must be provided to the student and the student's parent or legal guardian within three (3) calendar days of the end of the hearing. Its decision shall constitute a final decision of the hearing panel.
- h) Unless there is death in the immediate family, illness or serious injury of the student, if the student and the student's parent or legal guardian fails to appear at a hearing on the appointed date, s/he forfeits by default and the Principal's recommendation for expulsion will become effective.
- i) Record of the hearing: Upon written request, the student and her/his parent(s)/legal guardian or legal counsel must be provided with an accurate transcription of the hearing; including, written finding of fact and conclusions in the case. In case of appeal, an accurate record must be furnished to the Superintendent's office. Hearing records will be maintained for one (1) year.

iii. Right to appeal:

- a) If the student and the student's parent or legal guardian is dissatisfied with the decision of the Hearing Panel, or if the case involves an expulsion, the parent/legal guardian may appeal to the School Board. Expulsion cases may be heard by the Board directly without a hearing panel proceeding if requested by the parent/legal guardian. An appeal must be requested in writing to the Superintendent within five (5) calendar days of the date of the decision of the hearing panel or the student and the student's parent or legal guardian waive their right to appeal. An appeal hearing must be held within ten (10) calendar days of the appeal request.
- b) The School Board shall not hear any new evidence or receive any new documents if a hearing panel has issued a decision, but must make its decision based upon the record established by the Superintendent, including, but not limited to all of the files and documents considered by the hearing panel, unless there is new evidence or witnesses unavailable at the time of the hearing panel.

- c) The student and the student's parent or legal guardian may be represented by a personal representative or an attorney of her/his choosing at their own expense. The student and the student's parent or legal guardian must argue that the decision of the Superintendent was legally or procedurally flawed, and not argue or present new evidence. The Crazy Horse School shall be represented by the Crazy Horse School attorney.
- d) The School Board shall issue an oral decision at the end of the appeal hearing, or it may choose to issue a written decision, which must be provided to the student and the student's parent or legal guardian within three (3) calendar days of the end of the hearing. The decision of the School Board shall be final.
- e) Unless there is death in the immediate family, illness or serious injury of the student, if the student and the student's parent or legal guardian fails to appear at an appeal hearing on the appointed date, s/he forfeits by default and the decision of the hearing panel will stand.
- vi. If the student is found not guilty of the charge(s) against her/him, all allegations of misconduct and any information pertaining thereto will be expunged from the student school record.

10. EXPULSION.

- a. **Immediate Expulsion Misconduct Defined.** A behavior which **may** result in a student(s) immediate suspension and expulsion from school include, but is not limited to:
 - i. Behavior that shall cause bodily injury/assault to any other student or staff member at the Crazy Horse School.
 - ii. Carrying weapons that could inflict bodily injury, making threats of bodily injury, inflicting bodily injury through the use of a weapon or object that could cause serious bodily injury.
 - iii. Any behavior that promotes gang violence including gang colors, gang activity.
 - iv. Selling, distribution, possession, manufacture, or use of alcohol or drugs.
 - v. Habitual disobedience. The maximum number of behavior incidents resulting in detention or more serious consequences will not exceed 20 a school year.

When the student reaches the 20th incident, he/she may be recommended for expulsion to the Crazy Horse School Board of Education.

- b. **Expulsion Procedures.** In all disciplinary actions that may result in a recommendation for expulsion, the Principal will:

- i. Immediately suspend the student from school until the hearing which will be set with the scheduled board meeting time-frame.
- ii. Give the accused student and the student's parent or legal guardian written notice of the charge(s) against the student and the nature of the evidence supporting the charge(s). All requests to expulsion hearings will be determined through principal's office, in consultation with the Dean of Students.
- iii. Inform the student and the student's parent(s) or legal guardian of the date, time, and place of expulsion hearing before the CHS Board, no less than 48 hours before the hearing. The hearing shall be scheduled within five (5) days from the date of the notice of expulsion, unless there is good cause by the CHS Board for an extension of time. Failure of the student and the student's parent or legal guardian to appear for the scheduled hearing at the scheduled time, time and place effectively waives the right for any further hearing and the expulsion shall become final.
- iv. There shall be no appeal of the CHS Board's decision regarding an expulsion. It is a final decision of CHS.
- v. Through established procedures outlined in this section, a student may be expelled from school for conduct that disrupts the educational process or endangers the health or safety of the student, her/his classmates, or school personnel. Any student found on CHS property with a weapon of any kind, including but not limited to knives, guns or explosives, may be immediately removed from school. A student who has been expelled for a weapons violation will be expelled for not less than one semester or trimester from the date of the expulsion, and must complete a re-admission threat assessment and evaluation, and complete any recommended counseling. The School Board may modify a weapon-related expulsion on a case-by-case basis.
- vi. The School Board shall issue its decision in writing. If the School Board decides not to expel a student, the School Board may place conditions on the re-admittance following the suspension from school including but not limited to:
 - a) A Behavior Plan;
 - b) No further violations of school rules;
 - c) Mandatory student counseling;
 - d) Mandatory Family counseling;
 - e) Mandatory psychological evaluation to assess threat level; and/or
 - f) Mandatory completion by the student of alcohol or drug counseling, rehabilitation programming or assessment.

11. IN-SCHOOL SUSPENSIONS.

Student violations of minor rules or major school rules may result in students attending the in-school suspension program and follow the procedures as defined by the respective school building handbook. This is only applicable if ISS is an available option.

12. DETENTION OF STUDENTS.

Students (K-12) may be detained by their teacher(s) only when a definite and productive purpose will be achieved through its use or as a result for a major or minor rule infraction. This section of the detention policy is only applicable if Crazy Horse School has a detention program available.

Automatic Detention: A student may receive automatic detention for cursing at a teacher, using any display of force towards students or staff, leaving a classroom without permission, or breaking any extra expectation set by a teacher. Automatic detentions may also be assigned to a student by any staff member for inappropriate conduct in the halls, before school, or any time on campus.

Academic Detention: Teachers may require students to serve academic detentions based on their own classroom expectations. For example, if a teacher tells their class they may not fall more than three homework assignments behind in class and a student repeatedly comes unprepared, the teacher would be allowed to hold that student for academic detention until they are caught up.

Any teacher who wishes to detain a student after school must notify the Principal. The Principal's Office must notify the parents/guardians prior to detention and arrange any necessary travel arrangements. After school detention shall be applied equitably to all students. School transportation will be used to transport them home when the activity bus leaves. Lunch detention may be assigned without notification to the parent.

In the middle and high schools, three tardies in one day will result in lunchtime detention of thirty (30) minutes. For each additional tardy in the same day, fifteen minutes will be added to the detention time.

13. IN CLASSROOM DISCIPLINE.

During a class period, students are expected to follow the CHS School-Wide expectations:

- a. Be present
- b. Be prepared for class
- c. Respect yourself, your classmates, teachers, and school
- d. Keep hands, feet and objects to yourself
- e. Always work diligently
- f. Follow directions the first time
- g. No gum or seeds
- h. No hats or hoods
- i. Speak with honor: no profanity in classrooms

The high school, middle school, and elementary school Principals will establish policies for in classroom progressive discipline.

14. CORPORAL PUNISHMENT AND CHILD PROTECTION.

The use of corporal punishment is not permitted at any time at Crazy Horse School.

Corporal Punishment: Physical punishment as distinguished from pecuniary punishment or a fine; any kind of punishment of or inflicted on the body.

Child Protection: Public Law 101-630, “The Indian Child Protection and Family Violence Prevention” require that Tribes and Tribal Organizations (Grant Schools) report incidents or suspected incidences of child abuse and neglect which have occurred, which are occurring, or which may occur, to local law enforcement, the local child protection services agency or the child abuse hotline. (no later than 24 hours from the time the incident is brought to their attention.)

- a. **Student Physical Restraint Policy.** When a student poses an immediate and substantial risk to themselves or others, teachers, school administrators, staff members, and bus drivers may use only limited physical force that is both reasonable under the circumstances and necessary to protect the health and safety of the student who poses a risk to themselves or others.
- b. **Prohibited Forms of Physical Restraint.**
 - i. **Prone Restraint.** Prone Restraint is 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. The use of prone restraint is prohibited except when its use is necessary to protect the health and safety of the student or others, no other action would achieve protection of the health and safety of the students and others, and its use is reasonable in manner and moderate in degree.
 - ii. **Involuntary Confinement/Isolation/Seclusion.** Involuntary confinement is defined as locking a student in any space, regardless of its size, for the purpose of isolating or secluding the student. Involuntary confinement is prohibited unless necessary to protect the student or others from a clear and present danger. Involuntary confinement will be rare in frequency and limited only to the duration necessary to protect the student or others. Involuntary confinement, isolation, or seclusion is not permitted as a means of discipline.
- c. **Parent Notification Procedure.** Whenever any employee of the School exercises any form of physical restraint on a student, the following actions must be taken by the School:
 - i. The employee must report the incident to the School Principal immediately following the use of physical restraint on the student.
 - ii. The School Principal shall obtain a written statement from the employee documenting the circumstances and events leading up to the use of physical restraint upon the student and why the employee’s use of physical restraint was necessary to protect the student or others from an immediate and substantial risk to the health or safety of the student or others.
 - iii. The School Principal shall notify the Superintendent of the use of physical restraint immediately after obtaining the written statement from the school employee.
 - iv. The Superintendent or the School Principal shall notify the student’s legal guardian of the use of physical restraint upon the student as soon as is practicable after the incident.

15. INVESTIGATIONS AND SEARCHES.

The School may notify parent(s)/legal guardian(s) of any pending searches or interrogations of students by school officials, to permit their involvement, unless such search is necessary for the immediate safety of staff and students, based upon a reasonable suspicion that a student is in possession of a weapon or contraband.

Students have the right to privacy and security against arbitrary invasion of their personal property by school officials. However, the School has an interest in ensuring the health and safety of its students that must be balanced against students' expectations of privacy. This Policy is intended to balance the students' expectations of privacy against the School's interests in the safety of its students and personnel. The School may conduct searches of student personal property when necessary to protect the health and safety of students and personnel. The School Board has determined that the number of weapons found in student personal property in the School, including knives, in the past year has resulted in a real and serious threat to the health and safety of students and personnel that warrants additional student screening procedures upon entry to the School.

To address this threat, the School will conduct random searches of student backpacks and bags upon entry to the School grounds and after exiting and re-entering the School building. The School may also install a metal detector at the entry doors to the School for the purpose of preventing the presence of weapons in the School and require all students to clear the metal detector. Any student who does not clear the metal detector will be required to search of their personal property and person prior to entry. Students and parents are notified with the adoption of this Policy that the School will conduct random search upon entry to the building to mitigate the serious and real risk posed by the presence of weapons in the school.

Staff may also search personal property when there is evidence of violation of school policy or the law, or a threat to the health and safety of students, based upon a reasonable suspicion that drugs, alcohol, or weapons are present in a student's personal property. Staff have the right to examine any personal property left unattended on school grounds and such activity does not constitute a search.

Daily random pat down searches of students are prohibited, Pat down searches may be conducted in the event there is reasonable suspicion of violation of school policy or the law to support the search or when an emergency situation warrants such search when a school official, a teacher, or staff member has reasonable suspicion that the student has violated the law or school policy.

School desks and lockers and other equipment is the property of the school, and the school does not require permission to search lockers and desks, as there is no expectation of privacy. The school must maintain an atmosphere conducive to the pursuit of educational goals. Lockers are the property of Crazy Horse School and may be opened, or other searches conducted, including canine searches, by the respective Principal or their designee and one member of the professional staff. The student to whom the locker is issued by the school should be present if possible.

School administrators, teachers, and other employees have the right to question students regarding their conduct and/or the conduct of others.

In order to maintain a safe and positive learning environment in the school, any student suspected of being intoxicated, under the influence of illegal substances, and/or in possession of illegal substances or contraband may be searched by school officials, including personal items such as bags, purses, etc.

The School Superintendent shall distribute a copy of this Policy to all legal guardians or parents of students at the beginning of the School Year, and to all new students and their parent or legal guardian to the School.

A copy of this Policy shall be posted at the Main entrance to the School.

16. STUDENT DRUG TESTING.

Student drug testing is allowable with reasonable suspicion, which includes but is not limited to violent or erratic behavior of the student.

The information contained in the Crazy Horse School policy guide shall be clarified and expanded upon in the student handbook, which shall be approved yearly by the Crazy Horse School Board.

17. STUDENT INVOLVEMENT IN DECISION MAKING.

The Board believes students should be given a role in developing the procedures and rules and regulations, which affect them and shall consider student opinions in these areas. Student participation in decision-making is part of the educational process. Students are welcome at Board meetings and will be granted the same privilege of speaking extended to the general public.

18. COMPLAINTS AND GRIEVANCES.

There may be times when students or parents have a grievance about the Crazy Horse School. Such grievances are separate from student discipline procedures. The purpose of this grievance procedure is to resolve complaint(s) from student(s) and/or her/his parent(s) informally within the framework of the Crazy Horse School and to ensure fairness and justice to all.

Any student and/or her/his parent(s) who feel s/he has been discriminated against, believes her/his rights have been violated; or, has any other grievance(s) concerning school affairs or administrative decisions, may report said grievance(s) in the following manner:

- a. A signed written grievance shall be reported to the respective Principal within three (3) school days of the incident.
- b. The Principal must complete her/his efforts to resolve the grievance within five (5) school days of the date of the grievance.
 - i. S/he shall meet with all involved parties to discuss the issue(s).
 - ii. S/he shall keep a written record of her/his activities and findings.
 - iii. S/he shall provide a written response to the issues with her/his decision.
- c. If the Principal is unable to resolve the issue, the grievance may be brought by a parent, legal guardian, and/or student to the Superintendent within three (3) school days. The Superintendent

will follow the procedures outlined in step 2 above.

- d. If the Superintendent is unable to resolve the issue, the grievance may be brought by a parent, legal guardian, and/or student to the School Board within three (3) school days. The School Board will hear the grievance at the next CHS Board meeting unless the Board shows good cause for a continuance, and render a written decision to the complainant within a reasonable time.

19. DEMONSTRATIONS AND STRIKES.

The Board will not tolerate any disruption of the rights of students to attend school. Violence, vandalism and/or seizure of any area of school property or any other method of disruption violates this right.

4.11 HEALTH AND SAFETY POLICIES.

1. PHYSICAL EXAMINATIONS.

The Board shall provide a confidential voluntary health and developmental screening program organized for students in the areas of vision, speech, hearing, and dental. Students are not required to undergo a physical or medical examination or treatment if the student's parent(s) notify the Principal in writing that s/he objects to physical or medical examination or treatment. However, if a student declines a physical examination, that student shall not be allowed to participate in athletic activities or extra-curricular activities.

2. INOCULATIONS.

- a. The parent(s) of each child admitted to school shall present certification from a licensed physician or authorized representative of the Indian Health Service that the child has been immunized against poliomyelitis, diphtheria, pertussis, rubeola, rubella, mumps, hepatitis B, Chicken Pox, and tetanus. Any student entering the sixth grade, or who is older than eleven years old is required to be immunized with one dose of Tdap vaccine (tetanus, diphtheria, pertussis), and one dose of MCV4 vaccine (meningococcal ACYW) beginning in the FY 2016-2017 School Year. If a child is 10 years old when entering the 6th grade they have 45 days after their 11th birthday to be vaccinated.
- b. **Athletics and Extra-Curricular Activities.** Students who attend CHS who participate in any athletic program will be required to follow the guidelines set forth by CHS, including health, attendance and eligibility requirements for activities. Students ages 12 and older are required to show proof of COVID-19 vaccination as a condition of participation. The requirement for a COVID-19 vaccination is effective for the 2022-2023 School Year. All students 12 and older are required to provide proof of vaccination to the Principal's Office. A copy of the vaccination record will be maintained as part of the student's health records.
 - i. Any student 12 years or older who has been advised by a health care professional not to receive a vaccine due to an underlying health condition and a risk presented from the vaccine to the student's health, may file a written request for a reasonable accommodation with the Principal's Office. The student shall file the request, along with a statement from a health care professional that the student has been advised not to receive the vaccine due to a risk posed to the health of the student.

The Superintendent, in consultation with the Principal, will determine whether a reasonable accommodation can be granted based on a case-by-case evaluation of whether the student can perform the essential job functions, the risk to the health and safety of staff and students of granting the accommodation, and the financial and institutional impact of granting an accommodation. Unless granting the exemption would pose a significant difficulty or expense to the School, an accommodation will be granted. A student whose request for accommodations is denied may file a written appeal of the Superintendent's decision with the Principal's Office within five (5) days of the denial in writing. The School Board will review the appeal in writing and make a decision on the appeal based on the written record on file. No in person hearing shall be held on such appeals.

- ii. Any student who has a spiritual/religious objection to vaccination based on a sincerely held spiritual/religious belief, observance, or practice, may file a request for a spiritual/religious exemption in writing with the Principal's Office. Based on the information provided in the request for religious exemption, the Principal will determine if granting an exemption would pose an undue hardship on school operations on a case by case basis. Unless granting the exemption would pose an undue hardship on School operations, the exemptions will be granted. A student whose request for accommodations is denied may file a written appeal of the Superintendent's decision with the Principal's Office within five (5) days of the denial in writing. The School Board will review the appeal in writing and make a decision on the appeal based on the written record on file. No in person hearing shall be held on such appeals.

3. COMMUNICABLE DISEASES.

- a. The health and safety of students and employees will be the primary consideration in handling communicable diseases. CHS recognizes its responsibility in preserving the safety, protecting the general welfare, and promoting the physical, mental, and emotional health of students and employees. Decisions regarding an infected student's ability to attend CHS will, at all times, be based on whether the student poses a direct threat to the health and safety of the CHS community.

When practicable, CHS will make reasonable accommodations for infected students if such accommodations eliminate any direct threat posed by the communicable disease at issue.

- b. **Student Attendance.** Students infected with communicable diseases have a right to education. CHS will not prohibit students infected with communicable diseases from attending class so long as the student's communicable disease does not pose a direct threat to the health and safety of the CHS community. CHS will afford such students with reasonable accommodations if practical. Under certain circumstances involving students with chronic communicable diseases which pose a direct threat to the health and safety of the CHS community, students may be removed from class until an individualized education plan can be developed that is in accordance with the Individuals with Disabilities Education Act ("IDEA") and its regulations. In addition, the Principals may require an Individualized Health Plan to be developed and in place for a student

prior to readmission to the school. The Individualized Health Plan shall be developed by a Team including the Principal, one teacher, and the parents/guardians to address the health condition. Absences resulting from a communicable disease are excused absences for medical reasons. If the School determines that a parent/guardian is unable or unwilling to address a chronic health condition, the school may be required to report the case to the Tribal Health Department and/or Oglala Sioux Tribe Child Protection Services to assist the family.

- c. **Nondiscrimination.** CHS shall not discriminate against any student on the basis of a communicable disease. CHS is committed to providing a learning environment free of discrimination. CHS staff will, at all times, maintain an atmosphere of respect. Under no circumstances will harassment based on an individual's health status be tolerated. This includes persons with a communicable disease, perceived as being infected with a communicable disease, or student's family members' actual or perceived infection from a communicable disease. However, nothing in this Policy shall be construed as limiting CHS' ability to take action which protects the health and safety of others so long as such actions are in accordance with IDEA and its regulations.
- d. **Confidentiality.** In recognition that an individual's health status is personal and private, CHS shall handle information regarding students with suspected or confirmed communicable disease in accordance with all applicable laws regarding confidentiality of student health records, including the Family Educational Rights and Privacy Act ("FERPA"). Such records shall be placed in a locked and secure location and shall only be accessible to CHS management personnel who have a legitimate work related need to know, such as emergency medical personnel. Unlawful disclosure of confidential health records will result in immediate disciplinary measures, up to and including termination.
- e. **Direct Threat and Accommodation Determinations.** The determination of whether a communicable disease poses a direct threat to the health and safety of the CHS community, as well as determinations regarding reasonable accommodations, shall be made by the Principal in consultation with the Superintendent, the Tribal Health Department, Indian Health Services, CHS legal counsel, and available medical evidence. Students who are determined to have a communicable disease which poses a direct threat which cannot be reasonably accommodated pursuant to this policy may appeal such determination. Such appeals shall be conducted pursuant to Section 4.16 of this Policy.
- f. **Infection Control Guidelines.** CHS has established the following infection control guidelines applicable to students for the purpose of protecting the health and safety of the CHS community. These guidelines will be maintained and implemented in cooperation with the Tribal Health Department and Indian Health Services.
 - i. Any person who knows or suspects that an individual has a communicable disease or otherwise believes that there has been an incidence of exposure to a communicable disease shall report the information to the Principal. It is improper for any student who has actual knowledge or reasonable grounds to suspect that he/she is infected with a communicable disease to willfully expose or infect another with such a disease or to knowingly perform an act or engage in conduct which exposes or infects another person

with such a disease. If the Principal has received information that employee student is afflicted with a communicable disease which may pose a direct threat to health and safety, he/she will confer with the parent/guardian to assess the situation. The Principal may direct the parent/guardian to obtain a health examination of the student in order to ensure that the health and safety of the CHS community is protected.

- ii. If possible, all students who have open sores or other physical conditions by which others may be infected are required to refrain from direct contact with others and refrain from handling equipment until the condition is resolved. Any such physical conditions that can be covered with adhesive bandages that repel water and are designed to prevent potentially infectious material from being shed must be used.
- iii. If the communicable disease at issue poses a direct risk to the health and safety of students and staff and/or there has been possible exposure, the Principal will make a report to the Tribal Health Department as soon as possible.
- iv. In cooperation with the Tribal Health Department, the Principal shall notify employees, students, and others of their possible exposure to the communicable disease. The notice will include a fact sheet or similar information on possible communicable disease exposure.
- v. If an employee/student is suspected of having a communicable disease that could be detrimental to their health or the health of others in the school environment, that individual may be sent home until his or her communicable disease no longer poses a direct threat or until the disease can be reasonably accommodated. Such determinations shall be made in accordance with this policy.
- vi. In cooperation with the Tribal Health Department, the Principal will determine when a student/employee may be readmitted. As a condition of continued or renewed readmittance, CHS may require a statement from a student/employee's physician stating that the student is in suitable condition to attend school.
- vii. No child having a contagious or infectious disease or living in a house where such disease or condition exists may attend school until permitted to do so by the school principal after consulting with Indian Health Service or the Tribal Health Department. Head lice are considered a communicable disease for purposes of this section, and the student may attend school when permitted by the school nurse and respective principal.

4. STUDENT HEALTH SERVICE – MEDICATION.

Students shall not take medication, prescription or other drugs while at school. Only the School EMT may administer medication of any kind with a properly filed Medication form. All medications are to be ordered by a physician or health care provider, and such medication will be supplied by the parent or legal guardian to the School EMT.

5. STUDENT HEALTH SERVICE – ACCIDENTS AND ILLNESS.

The school personnel shall provide emergency services in case of injury or sudden illness of a student. If

the illness or injury appears serious, every effort will be made to contact the parent(s)/legal guardian(s) or family physician immediately. No student who is ill or injured will be sent home alone. Serious accidents to students shall be reported as soon as possible to the Principal. Emergency medical services shall be called as necessary to ensure the health and safety of the student. Each parent/guardian shall be required as part of Admissions to sign consent to medical treatment for students which shall include at least two emergency contacts authorized to receive medical information about a student.

6. STUDENT SAFETY/SUPERVISION.

Student safety shall be assured by close supervision of students in all school buildings, grounds, and off-site activities, through:

- a. Maintaining a safe school environment;
- b. Observation of safe practices on the part of school personnel and students;
- c. Offering safety education to students;
- d. Providing first-aid care for children in case of accident or sudden illness; and
- e. Development of structures for supervisors of students and activities.

7. EMERGENCY DRILLS.

The Facilities Manager shall conduct fire and disaster drills each school year according to the disaster plan adopted by the Board in accordance with the laws of the accrediting authority.

Refer to Section 7.07 School Operations – Bomb Threats, Tornado Plan, Fire Plan and Critical Incidents Procedures

8. DISMISSAL PRECAUTIONS.

The following procedures shall be utilized for student dismissal to ensure they are released for proper reasons and to parents/guardians.

- a. No student will be released from school or class(es) on the basis of only a telephone call.
- b. Children of estranged parents/guardians may be released only upon the written request of the parent whom the court holds directly responsible for the student and who is the person registered on the school record.
- c. A parent/guardian must come to the respective school office to pick-up children in front of school personnel, and the parent must sign a sign-out sheet or register indicating the name, date, time and reason for signing out the student.
- d. Any student that leaves school grounds during the school day without signed permission from the Principal's Office will be reported immediately to Public Safety Officers to ensure the safety of each student. If determined that the student is truant, the truancy policy will apply.
- e. Checking out of school: All students may be checked out of school by a guardian/parent even unless that student is over the age of 18. The parent/guardian or student over the age of 18 must come to the secretary's office in each department and sign out with the secretary before permission will be granted. A student who leaves campus without following these procedures

will be subject to disciplinary action. Students will either be assigned or “excused” or “unexcused” based on the submitted documentation.

9. STUDENT SAFETY PATROLS.

The school may organize a school safety patrol for the purpose of influencing and encouraging students to refrain from crossing public highways at points other than regular crossings and for directing students when and where to cross highways.

No liability shall be attached to any Board member or employee because of injuries sustained by a student by reason of operation and maintenance of a safety patrol. Identification and operation of a school safety patrol shall be in accordance with rules prescribed by the Oglala Sioux Tribe - Public Safety Commission.

10. BICYCLE USE / SKATEBOARDS OR LONGBOARDS.

The Board assumes no responsibility for theft, damage or accidents resulting from student use of bicycles on school premises. Students are not permitted to ride bicycles at all times on school premises and are not allowed to park or store bicycles on school grounds unless authorized by the respective Principal in writing. Skateboards or longboards are not permitted on school grounds unless the student receives written permission from the Principal.

11. AUTOMOBILE / MOTORCYCLE / ATV USE.

The Board assumes no responsibility for damage, theft or accidents resulting from student driven automobiles, motorcycles, or ATV’s on school premises or during the regular business day.

12. SCHOOL BUS SAFETY CODE.

Students who have the opportunity to ride district school buses may do so as long as they display behavior that is reasonable and safe. Choosing to engage in unacceptable behavior will result in loss of bus service. The bus driver is responsible for the safety and discipline of students on the bus. The bus driver must inform the building Principal of any violation of this Policy by filling out and filing an Incident Report. The Bus Driver and Principal shall consult on the violation and the Principal will make a determination of the consequences for violation of the Policy, and inform the bus driver. The Principal shall ensure the parent/legal guardian is informed of any violation of this Policy. A suspension applies to all school owned vehicles unless otherwise designated by school officials.

The responsibility for student supervision by the school shall begin when the student boards the bus in the morning and is retained until the child leaves the bus at the end of the day; or until released to the parent/guardian in a manner consistent with guidelines on release of students.

Transportation of school related/nonrelated items: The following items are prohibited: guns, loaded or unloaded; gasoline cans, empty or full; animals or any other objects of a dangerous or objectionable nature. Crazy Horse School is not responsible for the damage and/or loss of personal items.

Assigned buses only: students are assigned to buses and bus stops. No change in either bus or stop is permitted without transportation department authorization. Temporary changes may be made by school administrators for authorized emergencies only. Failure to ride the assigned bus from the assigned bus stop may jeopardize the safety of students and may result in disciplinary action.

CLASS I OFFENSE:

- a. Spitting;
- b. Excessive noise;
- c. Horseplay/mischief/distracting behavior;
- d. Eating/drinking/littering on the bus;
- e. Leaving seat/standing without permission from the driver;
- f. Use of liquid containers in any form;
- g. Profanity, verbal abuse, harassment, obscene gestures or possession of unacceptable material;
- h. Refusal to identify oneself;
- i. Riding unassigned bus or using unassigned bus stop;
- j. Opening window past safety line;
- k. Riding or attempting to ride any bus during a bus suspension;
- l. Disobedient to the driver/bus monitor;
- m. Inappropriate cell phone use; and/or
- n. Other offenses as reported by the driver or principal

CLASS II OFFENSES:

- a. Hanging out of windows;
- b. Throwing/shooting of any object;
- c. Bullying and/or physical aggression against any person;
- d. Profanity/threats directed toward bus driver/monitor;
- e. Possession/use of tobacco or any controlled substance;
- f. Vandalism to bus (restitution will be made);

- g. Holding onto or attempting to hold onto any portion of the exterior of the bus or any “danger zone” infringement;
- h. Lighting of matches, lighters, or any flammable object or substance;
- i. Unauthorized entering or leaving bus through emergency door/tampering with bus equipment;
- j. Possession or threat of weapons/explosives/flammables;
- k. Other offenses as reported by the driver or principal;
- l. Possession/use of laser pens or pointers; and/or
- m. Any offense committed on any school vehicle outside of regular transportation to and from school (activity, field trip, shuttles).

CONSEQUENCES

(Driver has the authority to assign seats at any time.) The bus and the bus stop are extensions of the school day. Video cameras may be used on school buses.

	1st Offense	2nd Offense	3rd Offense	4th Offense
Class I	Parent/guardian contact and written notice of infraction and resolution. Warning or 1-5 days ISS/OSS	Parent/guardian contact and written notice of infraction and resolution. 1-10 days ISS/OSS	1. 5-10 day ISS/OSS 2. Possible loss of bus service 3. Parent/guardian &Principal meeting.	Loss of bus privileges for remainder of semester or school year
Class II	Parent/guardian contact and written notice of infraction and resolution. 5 days ISS/OSS	Parent/guardian contact and written notice of infraction and resolution. 10 days ISS/OSS	1. 10 days ISS/OSS 2. Possible loss of bus privileges 3. Parent/guardian & Principal meeting.	Loss of bus privileges for remainder of semester or school year

If the bus driver deems necessary, law enforcement may be contacted to remove a student for behavior or actions that may endanger the driver or other students.

4.12 STUDENT ORGANIZATIONS

The Board encourages establishment of school organizations which shall be organized with the approval of the respective Principal. All funds generated by organizations or clubs will be deposited daily into individual custodial accounts through the Business Office with expenditures authorized by the sponsor.

1. STUDENT COUNCIL.

We, the students of Crazy Horse School, in order to develop self-government and to further the interests of the school, do hereby establish and ordain this CONSTITUTION.

ARTICLE I -TITLE

The name of the organization under this Constitution shall be the Crazy Horse School Student Council.

ARTICLE II -OBJECTIVES

The objectives of the Student Council are:

- a. To increase student responsibility,
- b. To develop leaders through actual participation,
- c. To encourage student participation in solving their own problems,
- d. To promote school spirit and good morale in every phase of school life.

ARTICLE III –MEMBERSHIP.

Section I. The Student Council shall consist of the officers and two class representatives.

Section II. Each student member on the Student Council will be entitled to vote.

Section III. A general meeting of the Student Council shall not exceed one per week.

Section IV. A quorum shall consist of two thirds of the members. A majority of those present is necessary to pass a measure.

Section V. It shall be the duty of the Student Council Advisor to see that all actions conform to existing laws, rules and regulations.

ARTICLE IV – OFFICERS.

Section I. The officers of the Student Council and their duties shall be:

- a. The President will preside at all meetings of the Student Council, call meetings, and act as ex-officio member of provisions of the constitution.
- b. The Vice-president will take the place of the President in her/his absence and will fill that office in case it is declared vacant.
- c. The Secretary keeps the records of all officers, committees, and members, and does correspondence for the organization. All correspondence is approved by the Advisor.
- d. The Treasurer keeps records of the collection and disbursement of funds and acts as a member of the Finance Committee.
- e. Officers may be removed for non-participation.

ARTICLE V –QUALIFICATIONS.

Section I. Any Crazy Horse School student (in good academic, social standing) may run for office of President, Vice-President, Secretary, or Treasurer.

Section II. Two students from each class will be represented on the Student Council in addition to the officers.

ARTICLE VI – DUTIES.

Section I. The Student Council Executive Committee shall consist of the President, Vice-President, Secretary, Treasurer, and Advisor.

Section II. Each student member of the Student Council will have one vote.

Section III. The duties of the representative will be:

- a. To insure the functioning of the student council.
- b. To discuss matters of the student government.
- c. To submit recommendations and proposals to the council.

ARTICLE VII – ELECTIONS.

Section I. Any student may run for any office. Elections will be held at the beginning of each school year.

2. STUDENT SOCIAL EVENTS.

Providing students with appropriate social activities is beneficial to their overall development. These events may be on a school-wide basis or limited to a portion of the students in the school. All events shall be under the authority and supervision of the respective Principal/designee. Staff shall provide proper supervision with voluntary participation by parents and community members. Sponsors of activities are responsible for attaining funds, cleaning school facilities utilized for the activity, advertising, acquiring necessary law enforcement for monitoring, and other organizational and planning activities.

3. SCHOOL PARTIES.

Students may participate in school parties. If you do not want your child to attend a school party for any reason, please inform the teacher and they will be excused. The school may have the following parties: Halloween, Christmas, Valentine’s Day, and Easter.

Students may furnish nutritious treats for their classmates on their birthday and at the school parties. Teachers may also treat students on their birthday and at the school parties. The school discourages non-nutritious snacks (pop, candy, etc.).

4. STUDENT PERFORMANCES.

Students will be encouraged to demonstrate their talents through exhibits, presentations, oratory or other media. All performances will be scheduled through the Principal for authorization.

5. STUDENT VOLUNTEERS.

To promote the concept and value of Generosity, students may participate in the design and implementation of community service activities in the school and community to demonstrate their competency and commitment to assisting the Lakota people. The Board encourages the use of student

volunteers in the educational program and in useful community services. Student volunteers will be required to carry the additional workload without interfering with their academic achievement as coordinated by the respective Principal.

6. EMPLOYMENT OF STUDENTS.

The Principals will actively pursue employment opportunities for students to assist their efforts toward economic independence and will promote development of student corporations and other entrepreneurial activities. All such activities will be structured in such a manner so as not to interrupt the learning process of students.

7. SOLICITATIONS.

Solicitation for donations and contributions for student projects are restricted to drives sponsored by student organizations. All acquired funds must be submitted to the Business Office immediately. A written report on funds generated and distributed will be presented to the Crazy Horse School Board at the Finance meeting. All solicitation activities must be approved by the Superintendent and Business Manager.

Organizations wishing to distribute materials in connection with fund drives may do so with the written approval of the respective Principal and are to remove any handbills or fliers from the school buildings and grounds in a timely manner. The Principal shall ensure each person authorized to solicit donations and contributions is provided with a written authorization specifying the activity and the school contact information to provide to any and all donors. Any person or organization who is soliciting donations in the name of the School or a student activity without authorization of the School shall be reported to OST Public Safety Department for fraud.

8. STUDENT/COMMUNITY RELATIONS.

The Board encourages the involvement of students and community members in activities that provide a positive image of students to community residents. Students are to perceive themselves as valuable members of the community in which they reside, and will abide behaviors reflective of the basic Lakota Values.

APPENDIX 7: FERPA STUDENT RECORDS CONFIDENTIALITY NOTICE

FERPA Confidentiality Statement

PLEASE READ THE FOLLOWING PRIOR TO COMPLETING THE FORM:

By signing this form, I acknowledge that I have received and understand the School’s FERPA policy as it pertains to student records.

FERPA (CONFIDENTIALITY STATEMENT)

CHS has the right to access student records of and has the responsibility to maintain the rights of students as defined in the Family Educational Rights and Privacy Act (FERPA). The CHS Student Policies states the policy regarding student records at CHS. Student Records are open to members of the school staff who have a legitimate need to know their contents; however, such School Personnel has a responsibility to maintain confidentiality. Under the terms of FERPA, CHS has established the following as directory information: Student’s Name, Grade Level completed, Awards Received and Dates, and Dates of Attendance (Current and Past). All other information may not be released without written consent of the parent or legal guardian or the adult student. Grades, Social Security Numbers, Ethnicity, and Student Schedules should not be released to anyone other than the parent or legal guardian or the adult student under discussion and not over the phone.

I acknowledge that I fully understand that the intentional disclosure by me of this information to any unauthorized person could subject me to criminal and civil penalties imposed by law. I further acknowledge that such willful or unauthorized disclosure also violates CHS’s policy and could constitute just cause for disciplinary action for any CHS employee, including termination of employment, regardless of whether criminal or civil penalties are imposed.

I have read the above and agree to maintain the confidentiality of student records.

Printed Name: _____ Position: _____

Signature: _____ Date: _____

The Family Educational Rights and Privacy Act (FERPA) affords parents and students who are 18 years of age or older ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 45 days after the day the School receives a request for access. Parents or eligible students should submit to the school Secretary a written request that identifies the records they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
2. The right to request the amendment of the student’s education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student’s privacy rights under FERPA. Parents or eligible students who wish to ask CHS to amend a record should write the school Superintendent clearly identify the part of the record they want changed, and specify why it should be changed. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify

the parent or eligible student of the decision and of their right to a hearing regarding the request for amendment before the School Board. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to provide written consent before the school discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. A school official also may include a volunteer or contractor outside of the school who performs an institutional service of function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the [School] to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

FERPA permits the disclosure of PII from students' education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible student, §99.32 of the FERPA regulations requires the school to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures. A school may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student –

- (a) To other school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in §99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(2) are met. (§99.31(a)(1))
- (b) To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31(a)(2))
- (c) To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S.

Secretary of Education, or Tribe, or the Bureau of Indian Education. Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§99.31(a)(3) and 99.35)

- (d) In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31(a)(4))
- (e) Tribal officials or authorities to whom information is specifically allowed to be reported or disclosed by a Tribal law that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the whose records were released, subject to §99.38. (§99.31(a)(5))
- (f) To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§99.31(a)(6))
- (g) To accrediting organizations to carry out their accrediting functions. (§99.31(a)(7))
- (h) To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8))
- (i) To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9))
- (j) To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10))
- (k) Information the school has designated as "directory information" under §99.37. (§99.31(a)(11))

APPENDIX 8: MCKINNEY-VENTO ENROLLMENT/REFERRAL FORM

Determining McKinney-Vento Eligibility of Unaccompanied Youth

1. Is the student residing with someone who is not his/her parent or court appointed guardian?

If yes, continue to the next question. If no, the student may be homeless, but is not unaccompanied.

2. Does the student meet the definition of homeless under McKinney-Vento?

These are sample questions that can be asked to determine McKinney-Vento eligibility.

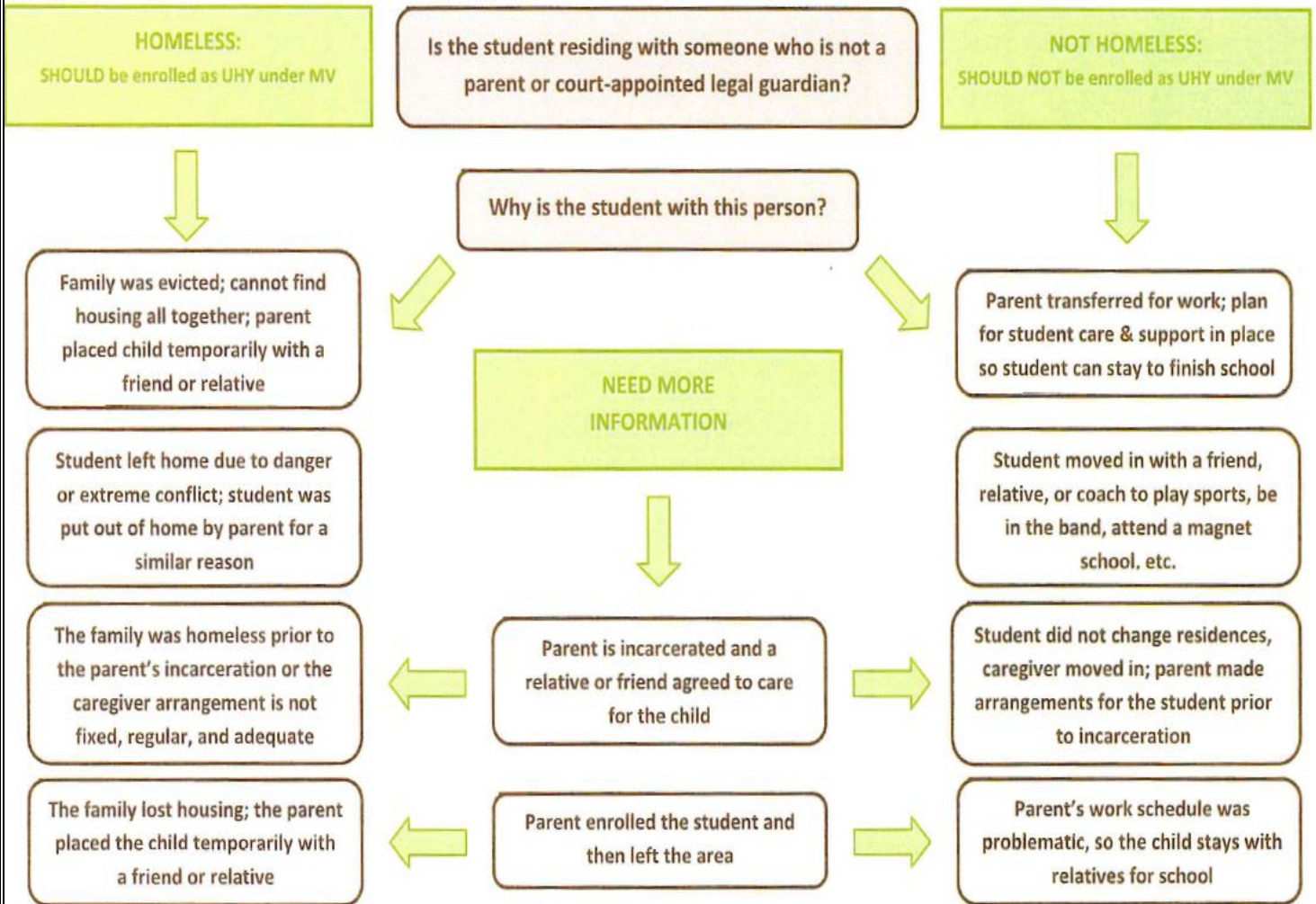
Reminder: homeless is defined as “lacking a fixed, regular, and adequate nighttime residence.”

- Why is the student living with someone who is not his/her parent/guardian?
- Is the student placed in this residence as a temporary plan for housing because the entire family became homeless?
- Did the student leave home because of severe family conflict?
- How long can the student continue living where he or she is?
- Does the student have his or her own space/bedroom in the residence?
- Does the student have adequate privacy?
- Can the student come and go as needed?
- Where would the student live if not able to live there?
- What are the expectations of the student while staying there?

A student who is considered homeless (lacking a fixed, regular, and adequate nighttime residence) and unaccompanied (not in the physical custody of a parent or guardian) can be registered as an unaccompanied homeless youth under the McKinney-Vento Act.

A student who is not homeless, even though residing with a person other than the parent or court-appointed guardian, does not qualify as an unaccompanied homeless youth under the McKinney-Vento Act.

Unaccompanied Youth Eligibility Flowchart



NOTE: The information contained in this flowchart is intended to serve as a general guide. All McKinney-Vento eligibility determinations should be made on a case-by-case basis weighing the individual circumstances of each student. To be eligible for McKinney-Vento services as an unaccompanied homeless student, the student must meet the criteria of both homeless and unaccompanied.

McKinney-Vento Eligibility Eligibility/Referral Form

Residency Information

Student Name: _____ Parent/Guardian Name: _____
School: _____ Phone: _____
Age: _____ Grade: _____ DOB: _____
Address: _____ City: _____ State: _____
Zip Code: _____ Is this address Temporary Yes No
or Permanent?
(Circle One)

Please choose which of the following situations the student currently resides in (you can choose more than one):

- House or apartment with parent or guardian
- Motel, car, or campsite
- Shelter or other temporary housing
- With friends or family members (other than or in addition to parent/guardian)

If you are living in shared housing, please check all of the following reasons that apply:

- Loss of housing
Economic situation
- Temporarily waiting for house or apartment
- Provide care for a family member
- Living with boyfriend/girlfriend
- Loss of employment
- Parent/Guardian is deployed
- Other (Please explain)

Are you a student under the age of 18 and living apart from your parents or guardians?

Yes No

Residency and Educational Rights

Students without fixed, regular, and adequate living situations have the following rights:

- 1) Immediate enrollment in the school they last attended or the local school where they are currently staying even if they do not have all of the documents normally required at the time of enrollment without fear of being separated or treated differently due to their housing situations;
- 2) Transportation to the school of origin for the regular school day;
- 3) Access to free meals, Title I and other educational programs, and transportation to extra-curricular activities to the same extent that it is offered to other students.

Any questions about these rights can be directed to the local McKinney-Vento Liaison at [INSERT PHONE NUMBER] or the State Coordinator at [INSERT PHONE NUMBER].

By signing below, I acknowledge that I have received and understand the above rights.

Caregiver Form

This form is intended to address the McKinney-Vento Homeless Assistance Act (42 U.S.C. § 11432 et seq.) requirement that homeless children have access to education and other services for which they are eligible. The McKinney-Vento Act states specifically that barriers to enrollment must be removed. In some cases, a child or youth who is homeless may not be able to reside with his/her parent or guardian; however, this fact does not nullify the child or youth's right to receive a free, appropriate public education.

Instructions:

Complete this form for a child or youth enrolling in school while not in the physical custody of a parent or guardian.

- To authorize the enrollment in school of a minor: Complete items 1 through 4 and sign the form.
- To authorize the enrollment and school-related medical care of a minor: Complete all items and sign the form.

I am 18 years of age or older and have agreed to fulfill the role of caregiver for the minor named below.

1. Name of Minor: _____

2. Minor's Date of Birth: _____

3. My Name (adult giving authorization): _____

4. My Home Address: _____

5. Check one or Both: (For example, if one parent was advised and the other could not be located)
_____ I have advised the parent(s) or other person(s) having legal custody of the minor as to my intent to authorize care and have received no objection.

_____ I am unable to contact the parent(s) or legal guardian(s) at this time to notify them of my intended authorization.

6. My Date of Birth: _____

7. My State Driver's License or Identification Card Number: _____

I declare under penalty of perjury under the laws of this state that the foregoing information is true and correct.

Signature: _____

Date: _____

Written Enrollment Decision Notice

This form is to be completed by the school when an enrollment request is denied.

Date: _____

Name of Person Completing Form: _____

Title of Person Completing Form: _____

Name of School: _____

In compliance with 42 U.S.C § 11432(g) (3) (E) of the McKinney-Vento Homeless Assistance Act, the following written notification is provided to:

Name of Parent(s)/Guardian(s): _____

Name of Student(s): _____

After reviewing your request to enroll the student(s) listed above, the enrollment request is denied. This determination was based upon:

You have the right to appeal this decision by completing the second page of this notice or by contacting the school district's local homeless education liaison.

Name of Local Liaison: _____

Title: _____

Phone Number: _____

In addition:

- The student listed above has the right to enroll immediately in the requested school pending the resolution of the dispute.
- You may provide written or verbal communication(s) to support your position regarding the student's enrollment in the requested school. You may use the form attached to this notification.
- You may contact the State Coordinator for Homeless Education if further help is needed or desired.
Contact information for the State Coordinator:

You may seek the assistance of advocates or an attorney. A copy of our state's dispute resolution process for students experiencing homelessness can be found here: <https://doe.sd.gov/title/documents/MV-Dispute.docx>.

Written Enrollment Decision Notice

To be completed by the parent, guardian, caretaker, or unaccompanied youth when a dispute arises. This information may be shared verbally with the local liaison as an alternative to completing this form.

Date: _____

Student(s): _____

Person Completing Form: _____

Relation to Student(s): _____

I May Be Contacted At (Phone or Email): _____

I Wish to Appeal the Enrollment Decision Made By: _____

Name of School: _____

I have been provided with (Please check all that apply):

A written explanation of the school's decision.

The contact information of the school district's local homeless education liaison.

A copy of the state's dispute resolution process for students experiencing homelessness.

Optional: You may include a written explanation in the space below to support your appeal or you may provide your explanation verbally.

The school provided me a copy of this form when I submitted it. _____ (Please initial.)

You may seek the assistance of advocates or an attorney. A copy of our state's dispute resolution process for students experiencing homelessness can be found here: <https://doe.sd.gov/title/documents/MV-Dispute.docx>.

CRAZY HORSE SCHOOL

Transportation Memorandum of Understanding

Dear Parent/Guardian/Student,

Your child(ren) or you, as an unaccompanied homeless youth, are currently eligible for the McKinney-Vento program. Per the McKinney-Vento Act, transportation will be provided to your child(ren) or you, as an unaccompanied youth, to and from school.

The following describes our agreement with you regarding transportation:

Pick-Up

Students must be at the bus stop at the time provided by the transportation department. Drivers can wait no more than [X] minutes from your scheduled time.

Drop-Off

An adult pre-approved by parents and guardians must be present at the bus stop to pick-up students too young to be left unsupervised. The transportation department will provide the time that the adult must be present for pick-up of students; parents and guardians must notify the liaison or the transportation department if an adult other than the parent or guardian will be picking-up the student.

Communication of Absences

If a student is going to be absent from school and therefore does not need transportation for part or all of the day, parents or guardians must call and inform the designated driver no later than [X] a.m. on the day of the absence so the driver can adjust the route accordingly.

Driver's Name: _____

Contact Phone Number: _____

Violating the Pick-up, Drop-off, or Absence agreement more than [#] times could result in the loss of transportation services or other consequences.

Behavioral Expectations

Students and parents are expected to follow the Crazy Horse School District policies for behavior. Disciplinary actions for students who violate the behavior policies will be followed as they are for any student in the district.

If Crazy Horse School fails to provide the agreed upon transportation services, the liaison should be contacted. Your liaison is [NAME] and may be reached at [INSERT CONTACT INFO].

If a student's residence changes, the transportation department must be contacted by [INSERT TIME] to allow for transportation to be arranged. Transportation requests and changes may take up to [NUMBER] days to be routed, so temporary transportation may be provided while routing is arranged. The transportation department may be contacted at: [CONTACT INFO].

Please sign below to acknowledge that you understand and agree with these expectations and terms.

Date	Parent/Guardian/UHY Name (Printed)	Signature
------	------------------------------------	-----------

Date	Name of Liaison (Printed)	Signature
------	---------------------------	-----------

MISSING DOCUMENTS

Student Name: _____

Name of Person Completing Form: _____

Relationship to Student: _____

School District/Building: _____

Indicate which documents are missing:

<input type="checkbox"/> Proof of Residency	<input type="checkbox"/> School physical/health records
<input type="checkbox"/> Proof of Guardianship	<input type="checkbox"/> School Records
<input type="checkbox"/> Proof of Identity	<input type="checkbox"/> Other (Please describe) _____
<input type="checkbox"/> Birth Certificate	<input type="checkbox"/> Immunization Records

You are being asked to answer the following questions because you are unable to provide the enrollment documents checked above that are required for enrollment. In accordance with the McKinney-Vento Homeless Assistance Act (42 U.S.C. § 11431 et seq.) states and localities are required to address barriers to the enrollment of students meeting the definition of homeless. Your completion of this information will facilitate the enrollment of your child (or of your own enrollment if you are an unaccompanied homeless youth).

1. Please list the age, date of birth, and birthplace of the students being enrolled.
2. If the person completing this form is someone other than the parents, legal guardians, or other persons with legal custody of the student(s) being enrolled, please list the names of the parents, legal guardians, or custodians. (If you are an unaccompanied youth, please list your parents, legal guardians, or other adults who help take care of you, such as relatives, caregivers, social workers, etc.)
3. Do you have legal custody imposed by a court order or have you been designated as a court-appointed guardian for the student(s) being enrolled?

What court entered such Order and what type of case was it (e.g., custody hearing, etc.?)

4. Why are you unable to present a copy of the checked items?
5. In order to help the school district locate missing information for each of the students enrolling, please give the following information:

Last school attended (name of school, city or county, and state):

Clinic or medical facility where immunizations or medical treatment was received (name of facility, city or county, and state):

Date

Signature of Person Completing Form

School Level Point of Contact Information

The McKinney-Vento Act (42 U.S.C. § 11431 et seq.) requires that every school district provide education and related services for students experiencing homelessness. In order to ensure our district remains in compliance with the law while providing an education of the highest quality to homeless students, a point of contact is needed in every building. This person will work with the local liaison to ensure students are identified and given appropriate opportunities to attend and succeed in school. To assist with these tasks, the local liaison will provide support and training for the building level points of contact.

Please identify the most appropriate building level point of contact and provide his or her information below.

School Name: _____

Contact Name: _____

Direct Phone Extension: _____

Email: _____

If you need assistance determining the most appropriate person for this role in your building, please contact the local liaison for assistance. Once the building contact is identified, please return this form to the local liaison no later than [INSERT DATE HERE].

The local liaison for our district is: [INSERT CONTACT INFORMATION HERE]

APPENDIX 9: CHS NOTICE OF UNEXCUSED ABSENCES.

Crazy Horse School

P.O. Box 260

Wanblee, South Dakota 57577

Middle/High School Office: (605) 462-6816 FAX: (605) 462-6424

Date: _____

Dear Parent/Guardian:

Grade: _____

Our records indicate that your child _____ has accumulated _____ days of unexcused absences. Regular attendance is necessary in order for your child to progress in his/her academic studies. In compliance with the Oglala Sioux Tribal Code Section #79, requires that all children between the ages of 5 and 18 be enrolled and attend school regularly.

Crazy Horse School Policy 4.06.5 states the following:

- a. When a student misses 2, 5, 7 days of absences in one semester, parents and guardians will be notified in writing and/or home visits at each level.
- b. After the fifth day of absence in a semester, CHS will contact the Oglala Lakota Housing Authority, TSP (Tenant Service Representative), Child Protective Services and Public Safety.
- c. Students missing ten (10) consecutive and or nonconsecutive days of absence of school, excused or not excused will be automatically dropped from the rolls for the balance of the semester per BIE requirements, unless a variance is approved by the Principal. CHS will report students that have been dropped to the OST Attorney General to enforce OST Code on Truancy.

Sincerely,

Ms. Jodi Stoddard, MS/HS Principal

____ 1st Notice ____ 2nd Notice ____ 3rd Notice ____ Final Notice
____ 2-Days ____ 5-Days ____ 7-Days ____ 10-Day Drop
Notify: ____CPS ____OLHA-TSR ____Public Safety



Crazy Horse School

Amelia Blackbear, Elementary Principal

P.O. Box 260
245 Crazy Horse School Drive
Wanblee, South Dakota 57377
PHONE: (605) 462-6809 FAX: (605) 462-6349



Date: _____

Dear Parent/Guardian:

Grade: _____

Our records indicate that your child: _____, has accumulated _____ days of unexcused absence. Regular attendance is necessary in order for your child to progress in his/her academic studies. In compliance with the Oglala Sioux Tribe Code Section #79, requires that all children between the ages of 5 and 18 be enrolled and attend school regularly.

Crazy Horse School Policy 4.06 states as the following:

1. When a student accumulates 2, 5, 7 days of absences in one semester, parent/guardians will be notified in writing at each level.
2. After the fifth (5th) day of unexcused absence in a semester, the parent/guardian shall be required to come to the school and meet with the principal and counselor to sign an attendance contract to discuss the causes and possible solutions for the student's absences.
3. When students exceed ten (10) days of unexcused absence (consecutive and/or nonconsecutive) in a semester they will be dropped from school for the balance of the semester per the BIE requirements. The Parent/Guardians, the juvenile court, tribal police, and OST Child Protection Services will be notified when the student is under 18 years of age.
 - a. Consecutive Days Absent: Any student missing ten (10) consecutive days of school whether excused or unexcused will be automatically dropped from the rolls of the school for the balance of the semester unless a variance is approved by the principal based on extenuating circumstances set forth in this Policy.

Sincerely,

Elementary Principal – Amelia Blackbear

_____ 1st Notice
(2 days)

_____ 2nd Notice
(5 days)

_____ 3rd Notice
(7 days)

_____ Final Notice
(10 days – Dop)

APPENDIX 10: ANTI-BULLYING CONTRACT

**Crazy Horse School
Anti-bullying Contract**

Bullying, by definition, is any single incident or pattern of behavior directed at another person that results in that person feeling intimidated or harassed, or results in the physical or emotional injury of the person. Some examples of bullying are:

1. Pushing, hitting, kicking or throwing things at someone.
2. Stealing or damaging another person's property.
3. Name calling teasing.
4. Threatening to hurt someone.
5. Leaving someone out on purpose and without good reason.
6. Spreading rumors about someone.

I, _____, understand that my previous behavior is by definition bullying. I have also been made aware of the severe consequences that will be enforced if my bullying behaviors continue. Therefore, I promise that I will make every effort to keep our school a safe and caring place by stopping my bullying behaviors and following these simple rules.

1. Treat everyone with kindness and respect.
2. Resolve disagreements with other students peacefully.
3. Never tease hurt name-call or bully another student.
4. Refuse to join in if I see someone else being bullied.
5. Ask for help from an adult if I am bullied or see someone else being bullied.
6. Practice new, kind behaviors, and ask for help when I don't know how to handle a situation.

Date: _____

Student Signature: _____

Parent/Guardian Signature: _____

Staff Signature: _____

APPENDIX 11: STUDENT PLEDGE OF COMPUTER USE.

Student Pledge for Computer Use:

1. I will take good care of my computer and know that I will be issued the same computer each year.
2. I will never leave the computer unattended.
3. I will never loan out my computer to other individuals.
4. I will know where my computer is always.
5. I will charge my computer's battery daily.
6. I will keep food and beverages away from my computer since they may cause damage to the computer.
7. I will not disassemble any part of my computer or attempt any repairs.
8. I will protect my computer by only carrying it while in an approved case.
9. I will use my computer in ways that are appropriate and educational.
10. I will not place decorations (such as stickers, markers, etc.) on the District computer.
11. I understand that my computer is subject to inspection at any time without notice and remains the property of the Crazy Horse School.
12. I will follow the policies outlined in the Computer Handbook and the Crazy Horse School Acceptable Use Policy while at school or at home, during and outside the school day.
13. I will file a police report in case of theft, vandalism, and other acts covered by insurance.
14. I will be responsible for all damage or loss caused by neglect or abuse.
15. I agree to return all issued equipment, complete and in good working condition.

APPENDIX 12: STUDENT/PARENT TECHNOLOGY USE AGREEMENT.

Student/Parent Technology Use Agreement

Website Permission/Email Permission Form Throughout the year, the School District will be updating school district web pages with photographs of classes, activities, student of the month, etc. Teachers may also be updating their websites with student work/projects. The school's website can be viewed at <http://www.crazyhorse.k12.sd.us>.

Email Accounts: All students will receive an Email Account. Elementary students will receive instruction on how to use and access as determined by the parent, teacher and principal.

Please read through the following options and initial in agreement of understanding before each.

- _____ I agree to my student being assigned a k12.sd.us email account for the purposes of communicating to teachers by students and parents. I understand that the email account will be monitored.
- _____ I agree to the stipulations set forth in the above Computer Handbook.
- _____ I have read, understand, and agree to comply with the Internet Safety Policy, Acceptable Network and Internet Use Policy, the Crazy Horse School Protection Plan, the Student Expectations, and the Website/Email Permission form.

Student Signature: _____

Date: _____

Parent Signature: _____

Date: _____

Principal: _____

Date: _____

Computer Model & Tag ID Number

MIFI Number & Tag ID

APPENDIX 13: PARENT/GUARDIAN NOTICE OF STEP 3 DISCIPLINARY ACTION.



CRAZY HORSE SCHOOL



Tasunke Witko Owayawa

P.O. Box 260

245 Crazy Horse School Drive

Date:

To:

Re: *Step 3 – Student Meeting – with (Student) _____, (Parent) _____, Crazy Horse MS/HS Principal, Dean of Students, and Project Aware Staff.*

Dear Parent/ Guardian,

This letter serves as notice that a meeting was held with the intent to resolve these violations of the Crazy Horse MS/HS Code of Conduct before more intensive disciplinary action is considered. Student, Parent/Guardian, Principal, Dean of Students and Project Aware Staff have determined the following conditions must be abided by for successful return to Crazy Horse School:

1. _____ may return to school and attend classes on _____.
2. No further incidents of the offensive behavior this year by the Student.
3. The Student will attend counseling as needed with Project Aware Staff, School Counselor or Student Advisor, IHS Counselor or other outside Counseling source as determined.
4. The Student will have a staff member assigned to them to check in with regularly each day until no longer needed.
5. The Parent/Guardian will be required to participate in meetings as requested by Project Aware Staff or the School Counselor.
6. Project Aware Staff, School Counselor, Dean of Students will participate in intervention planning in this case.
7. The Intervention Team will evaluate the process weekly.
8. The Student and Parent/Guardian will watch videos provided by the School and discuss for understanding, before the Student is completely integrated back into the School.
9. The Student and Parent/Guardian must sign a new behavior contract that includes the above conditions.

10. Violation of any of these conditions will result in the Student being placed on Step 4 for the current school year, which will result in expulsion of the Student.

If you have any questions, please contact.

Student

Parent

Project Aware Staff

Principal / Dean of Students