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## ACADEMIC DISHONESTY

The well being of the school community depends on each student’s accepting responsibility for his or her personal conduct both socially and academically. Academic honesty requires that students produce work that is their own. Academic dishonesty is a student’s attempt to claim and show knowledge and/or skills that he or she does not possess. Instances of academic dishonesty will be handled at the discretion of the teacher and will also be referred to administration for documentation.

## ACTIVITIES Eligibility and conduct

School-sponsored extracurricular activities start in the 6th grade (some activities are grade specific). Middle Level students must have a physical each year to participate in athletic activities. Student activity tickets for high school activities are available at Mitchell Middle School Registration and the Mitchell High School Main Office.

**Eligibility and conduct:** Participation in all activity programs is predicated upon successful work in the academic classroom. A Failing List check is done weekly at the Middle School on Wednesdays. If a student is on that list with at least one (1) F letter grade, they are ineligible to miss class to compete in an event. The student will still be allowed to practice if deemed appropriate by the coaching staff and building principal. If a student is on that list with at least one (1) F letter grade, that student WILL NOT be permitted to travel if it means lost school time. If school transportation has left before the end of the school day, the person is ineligible for that event. If a student has an incomplete grade for ANY quarter they will not be allowed to leave school early to travel to a school event. A student may still participate in a home event after school or on Saturday if they are only failing one class. Any student failing three (3) or more classes is automatically ineligible to practice or compete. A two-week grace period will be allowed at the beginning of each quarter for the failing list and activity participation. Power Hour is a priority over activities when assignments are owed. A student must attend school the half day prior to the activity or

activity dismissal in order to participate. Should you as a parent have ANY questions regarding your son/daughter, please contact the Activities Director at (605)995-3082. It is the policy of the school district that participation in any extra-curricular activity is a privilege. The participation privilege carries the responsibility of adherence to a code of conduct, which reflects the role model status of extra-curricular participants. Individual coaches may have additional requirements. All students participating in school activities are subject to the expectations stipulated in the Board Policy #1071 found at <https://www.themitchellkernels.com/board-policies>

### **ALCOHOL/TOBACCO/DRUGS**

We expect to have a safe and drug free school. Illegal drugs, which include tobacco, nicotine not approved by the FDA, and alcohol, are prohibited in school, on school grounds, at school-sponsored activities, on student trips, or when students are being transported in a district vehicle.

### **ATTENDANCE (605) 995-3051**

Regular attendance directly relates to a student's ability to achieve in school. A student that is absent misses class instruction, presentations, discussions, audio-visual material, and student-teacher contact-all difficult to make-up after the absence. In order to encourage regular attendance, the following procedures will be in place each year:

- If a student is absent for ~~five~~ four days of school per semester, the parents will receive a written first notice.
- If a student is absent for eight days of school per semester, the parents will receive a written second notice.
- If a student is absent for ten days of school per semester, the school resource officer will be notified and a truancy petition may be filed with the State's Attorney.
- If a student is absent from school, phone contact or written notification to the school is required within 24 hours of the student returning to school.

- If a student is more than 30 minutes late for any period he or she is considered absent for that period.
- Continuous absence for prolonged illness or a series of medical treatments will be counted as one absence per day unless a note from the physician is provided.
- Continuous absence due to bereavement or serious illness of the student's immediate family may be counted as one absence. A note from the parent/guardian or physician will be required.
- Absence for school activities will not count as an absence.
- Students may be excused for other exceptional reasons with approval of the principal.
- Attendance will be counted on a semester basis.

#### **Excused Absences:**

- A student, who has been absent, on returning to school, must present an excuse (if telephone contact has not been made) stating the reason for the absence. The student is to get all missed assignments from his/her teacher(s) and make-up all work promptly. Absences for reasons other than school-sponsored activities will be counted as a day of absence and must be reported to the school within 24 hours. In all cases, the parent must contact the front office or principal by a written note or telephone. It is the student's responsibility to have assignments for class upon returning.

### **BEFORE AND AFTER SCHOOL**

School starts at 8:15 a.m. and ends at 3:15 p.m. If students enter the building before 8:00 a.m., they must report to the cafeteria or East front lobby. Students are encouraged to meet with teachers at this time. After school, they can work with a teacher or participate in school-sponsored activities. If they are not involved in one of these activities or working with a staff member, they should exit the building and students should be off the school grounds by 3:30 p.m.

## **BUSSING**

Inappropriate bus behavior is referred to the principal who may apply school consequences. In some circumstances, students may be denied bus privileges. Call Foreman Bus Service at (605) 999-0214 or Palace Transit at (605) 995-8440 for information.

## **COUNSELING**

Counseling at the middle school is a normal need for adolescent students. School counselors work with the concerns that may get in the way of academic progress. This includes personal, academic and career counseling. Counselors do not offer long term personal counseling or family counseling, but can help find resources available in the community. To access a counselor, students can come in before or after school or they can ask a teacher for a hall pass to see a counselor. In the case of an emergency, students can come directly to the office and say they have an emergency.

## **DANCE RULES**

- Middle school evening dances are restricted to seventh & eighth graders who attend the Mitchell Middle School.
- Dance times are from 7-10 p.m.
- Students **cannot leave** and return to the dance (one time entry rule).
- Students who wish to leave before 10:00 p.m. will need to contact parents by phone.
- Students who are discourteous to chaperones will be asked to leave and their parents will be contacted.
- Students suspected of any chemical use (drugs or alcohol) will be reported to parents and possibly law enforcement.
- Students are restricted to the dance area, which includes the cafeteria, bathrooms and immediate hallway.
- The School Dress Code is enforced.

## **DISCIPLINE PLAN**

The school discipline plan is in force.

- A personal ICU log is available to record when a student has an incomplete assignment, non-passing quiz or test grade, a project that is not completed, or

any other assignment that is not completed with quality or done in a way that demonstrated an understanding of the material. Please review this log in the evenings with your child.

1. **Planners:** Students will be expected to carry planners at all times, except lunch. When using the restroom, documentation will be recorded in the planner and the planner will remain in the classroom. If your child has lost his/her planner, new planners are available for purchase in the office. If your child has misplaced a planner and purchasing a new one is a hardship, please call us and make arrangements. Academic infractions, behavioral infractions, tardies and hall passes are all documented on the log pages. Students start fresh with a new log the first day of each quarter.

2. **Behavior Infractions:** Minor behavior Infractions will be recorded in student planners on an Academic/Behavior Log in the front of the planner. **Please review this log in the evenings with your child.** Behavior infractions are handled the same at all grade levels. Behavior infractions include inappropriate language and other classroom management concerns. On the 6<sup>th</sup> behavior infraction per quarter and each infraction after, students will be referred to the office. Detentions, ISS lunch (students eat in an alternative supervised setting), in school suspension, or out of school suspension will be assigned. Major behavior concerns are always office referrals. (See discipline plan attachment)

## **DISTURBANCE OF SCHOOL**

A person whether pupil or not who intentionally disturbs the proper order or management of public or nonpublic school by acts of violence, boisterous conduct, or threatening language so as to prevent the teacher or any pupil from performing his duty, is guilty of a Class 2 misdemeanor.\*(As quoted by SDCL 13-26-6) Superintendents, principals, supervisors, teachers and their aides, and assistants have the authority to use the physical force that is reasonable and necessary for supervisory control over students. (As quoted by SDCL 13-32-2)

## **DRESS CODE**

In the interests of cleanliness, decency, and good taste, Mitchell Middle School reserves the right to place restrictions on a student's dress and grooming when they create a danger to the student's health and safety, interfere with the educational process, or cause a disruption in school.

The following are guidelines:

1. Baggy clothing that exposes undergarments, short shirts, short shorts, halter-tops, or spaghetti strap shirts are not allowed. No hats, caps, or hoods covering the head will be worn during school.
2. Clothing that is shredded or full of holes in a way that makes it revealing are not allowed.
3. No apparel or articles that promote or suggest alcohol, tobacco, drugs, sex, racism, gangs, cults or violence are allowed in school. (This includes some brand name apparel.)
4. Shoes are to be worn in the building

The school staff reserves the right to prohibit other forms of dress that may not be appropriate. Students who do not comply with the dress code may be asked to change, and parents may be contacted. Violations may result in detentions or suspensions.

## **GRADING SCALE**

90%-100%=A  
80%-89%= B  
70%-79%=C  
60%-69%=D  
0%-59%=F

## **HARASSMENT**

Actions that are meant to intimidate and embarrass others are very harmful in a school environment because they often result in students not engaging in education. It is a type of bullying and a form of violence. Please reference the legal notices section for the details of the Bullying policy #111 and the sexual harassment policy #115. These are both available on the district website.

**Bullying** - Intimidating actions will not be tolerated. Students should report bullying to teachers, counselors, and administrators so the

bullying can be stopped. Continued bullying is harmful to a whole classroom. Students who laugh at it, go along with it, or fail to report it become part of the problem.

**Sexual Harassment** in any form will not be tolerated. It is the policy of the school district that no administrator, faculty member, staff member or student shall be subject to sexual harassment by others. Please report harassment to a counselor or administrator.

## **HOMEWORK**

Homework information may be available at our web site- [www.mms.themitchellkernels.com](http://www.mms.themitchellkernels.com) This is also where teacher websites and teacher e-mail addresses can be found.

## **HONOR ROLLS**

To be listed on the Honor Roll, students must have at least a "B" average. The grade point average can be figured as follows: A's=4, B's=3, C's=2, and D's=1. Add total points. Divide by the number of classes taken (A half-period class such as band counts one half the points and one half the time). The three honor rolls are Bronze (3.0-3.59), Silver (3.60-3.99), and Gold (4.0). These honor rolls are published and sent to the newspaper approximately 2 weeks after a quarter ends. A uniform grading policy has been established for the school. It is available in the school office.

## **ICU PROGRAM**

ICU stands for Intensive Care Unit and in the field of education it means that if students have missing assignments, their grade is sick and needs attention. The foundation of this process is based on showing mastery of concepts through well-done work. Students must turn in quality work that reflects a level of mastery that matches their ability. While there are many components to an effective ICU program, communication with students, parents, teachers, and administrators is essential. If you would like to visit about ICU please feel free to contact an administrator or teacher.

## **INCOMPLETE GRADES**

If an incomplete is recorded on a report card, the student must consult with the teacher involved.

## **INTERNET ACCESS**

A signed Internet Access Form allows students to use the Internet under supervision of school personnel.

## **LIBRARY**

The library is a place intended to provide magazines, books, and technology needed for class work and leisure reading. Remember that library materials are used by all students and need to be treated properly and returned promptly.

## **LOCKERS**

The locker is the property of the school and may be checked for physical condition and contents. For security and safety reasons, we ask that students not share lockers or locker combinations.

## **LOST AND FOUND**

Check the office for all lost and found articles. All articles are disposed of if unclaimed.

## **LUNCH**

Money for lunch can be left in the hallway window slot by the cafeteria. We have a closed campus and students are not allowed to leave the building without parents or school personnel. A parent who wishes to take his/her child out of school for lunch should contact the office in advance. Students must be back in school in time for class. Absolutely no food or drink may leave the lunchroom.

\*Personal water bottles may be permitted.

## **MAKE-UP WORK**

Schoolwork missed when a student is absent must be made up. Upon returning to school, the student is responsible for completing make-up work. Generally, one day for each day of an absence to complete missed assignments (one gold day for a missed gold day, etc.) is recommended. Absences due to school and pre-planned activities should be made up in advance, and teachers expect students to be prepared for the following day's work.

## **MEDICAL**

A school nurse is scheduled to be in the building for part of the time. Call the school if you need to know when she will be in. Students can see her about health concerns.

**Injuries** - If a student is injured while participating in any school activity, the student must notify the instructor immediately. Any first aid that is necessary to meet an immediate emergency will be done. After this, we will attempt to contact parents. If we are unable to reach parents and emergency care is needed, the student's medical card will be consulted. The school is not liable for doctor and hospital bills. The school does not insure students. Students have insurance only if they have student coverage (forms available in the school registration packet) or a policy at home.

## **MEDICATION**

**Prescription Medication** - The office staff, in the nurse's absence, dispenses prescription medication. Parents must sign a consent form that is available in the office. The form will specify what dose the school personnel are responsible for administering. If the school does not have permission, the dose must be given by the parent/guardian (This includes morning doses). The medication must be brought in by the parent in the original container from the pharmacy.

**Non-prescription Medication** - Students may have, in their possession, a daily dose of non-prescription medication, such as ibuprofen, decongestant, etc. The medication should be in the original container and labeled with the student's name.

**Inhalers** - If a student needs to carry an inhaler(s), a consent form must be completed with the parent indicating approval of self-administering the medication. The inhaler must be labeled with the student's name.

\* Students are not permitted to share any form of medication with other students.

## **PERSONAL ELECTRONICS**

Personal Electronics are to include, but not limited to cell phones, iPods, MP3 players, and other electronic devices (eg: internet capable watches).

Bringing personal electronic devices to school is not recommended as they are prohibited during the school day, including Power Hour, SPARC, detention, etc. Students caught breaking the rule will have their item confiscated and **parents may be required to pick them up in the middle school office after the assigned and outstanding detention(s) have been served.** Multiple offenses could result in the item to be not allowed back in the building. The school is not responsible for lost, broken, or damaged devices. The use of personal electronics are restricted to classroom use as per individual instructor.

### **PETS**

No pets will be allowed in the school building.

### **PROFANITY**

We are proud of our facilities and our students. Profanity is one area that we have worked hard to improve. In general, profanity and swearing is not allowed.

### **REPORT CARDS**

Report cards will be issued following the close of each nine-week period. Final report cards will be mailed home.

### **RETENTION/PROMOTION**

We believe that every attempt should be made to provide each student with the maximum opportunity to succeed in school. The professional staff is expected to place students at the grade level best suited to their academic ability and social and emotional needs.

Students who do not adequately complete the required curriculum may be considered for retention.

Every effort is made to reach common agreement on student promotion or retention; however, the final decision rests with the administration.

### **SCHEDULE CHANGES**

Schedule changes are made by the school counselor and are rare in occurrence.

### **SCHOOL INSURANCE**

In the registration materials, limited insurance coverage is available on a voluntary basis. This

is accident insurance and is helpful to those who do not have other insurance. We simply make the insurance available and it is at the expense of individual families.

### **SCHOOL CANCELLATION**

The Mitchell Middle School has several ways of letting the community know of school cancellations and schedule changes. You can stay up to date on the latest cancellations, late starts, and postponements via our Mitchell School District app available through the iOS store and Google Play. In addition, the Mitchell School District will send out emails and text messages to the numbers and email addresses we have saved in Infinite Campus. This information is updated annually when you register your child/ren. Please make sure to keep your information up to date. As in the past, MSD will continue to use radio (KORN (1490 AM), KMIT (105.9), Q107 (107.3), and KOOL (98.3) for announcements as well.

### **SRB- (Student Responsibility Block)**

This is a teacher directed study hall.

### **TARDY POLICY**

Students coming to class late will be considered tardy. Earning six or more tardies in one quarter will result in being assigned detention or ISS lunch.

### **TELEPHONES**

There is a student use telephone in the office that is available to call parents during regular office hours. The school expects conversations to be respectful, courteous, and quick. Failure to follow those guidelines can result in restricted use.

### **TOBACCO FREE SCHOOLS (SB policy 518)**

The negative effects of tobacco on persons who use tobacco and persons exposed to environmental smoke are well documented. The Mitchell School District is committed to encouraging healthy living styles and healthy working environments. Because of this commitment, the following policy will apply to all schools in the Mitchell School District. All K-12 Mitchell School District facilities and grounds will be tobacco - free in all areas.

Tobacco use is prohibited in all K-12 schools and vehicles.

The use, possession, or promotion of tobacco on school property or during school sponsored activities is prohibited. This policy shall be in effect at all times and shall apply to all students, employees and visitors.

For the purpose of this policy:

1. "Tobacco" means any substance or item, in any form, containing tobacco and or nicotine and not regulated by the Food and Drug Administration;
2. "School property" means all district-owned, rented or leased buildings, stadiums, grounds and vehicles;
3. "School-sponsored activity" means any planned, organized, endorsed, or supervised activity involving district students or staff that occurs either before, during or after regular school hours;
4. "Promotions" means the use or display of tobacco-related clothing, bags, lighters, or other material that is designed to encourage the acceptance or use of tobacco.
5. Neither e-cigarettes nor other vaping devices will be allowed on school grounds, in school facilities, or in school vehicles. Liquids intended to be used with such devices are also not permitted.

Students or district employees found in violation of this policy will be subject to appropriate consequences. Visitors in violation of this policy will result in appropriate sanctions as determined and imposed by the administration, which may include direction to leave school property. Additionally, the Mitchell School District shall not accept advertising or gifts from the tobacco industry. The Superintendent shall provide reasonable notification of the district's policy, including, but not limited to, inclusion in student and staff handbooks and paperwork, and on the district website. The Superintendent may develop administrative regulations as necessary to implement this policy and may permit administrators discretion in dealing with issues related to but not explicitly covered in this policy. The Mitchell School District ADAPT Team shall have the responsibility of maintaining this policy.

## **VIOLENCE**

Violence occurs whenever anyone harms - or threatens to harm - a person's body, feelings, or

possessions. Violence can be a mean word, look, sign, or act. Violence hurts everyone involved whether it is verbal violence or physical fighting. All participants in a fight receive a disciplinary referral and may be sent home. Second or serious offenses are usually referred to local police. Any threats of serious harm to students or staff will be treated seriously and may warrant police involvement.

## **VISITORS**

Parents are welcome to visit school. All visitors are required to check with the office before entering any classroom. We discourage visits by students from other schools. Student visits must be approved by the teacher(s) and a principal prior to the visit and are only for one half school day.

## **WEAPONS**

No student shall carry on his or her person, in any way have in his or her possession, store, keep, leave, place, or give to or put in the possession of another student a controlled, dangerous or deadly weapon, any destructive device or explosive, any ballistic knife, any stun gun or any firearm or air gun whether such firearm or air gun is designed, adapted, used or intended primarily for imitative or noise-making purposes or not in or on any school property or premises, in any school vehicle or other vehicle being used for school purposes or in any other building, structure or property being used for school purposes or function or at which a school-related vehicle is being conducted. This policy shall not apply to any weapon, device or other item referred to herein which is being used by authorized individuals as a part of or in conjunction with school-related activities or functions.

As per SD state law, any student bringing a firearm to school shall be expelled for not less than 12 months and will be referred to law enforcement authorities. The superintendent of school shall have the authority to recommend to the School Board that this expulsion requirement be modified on a case-by-case basis. Refer to Board Policy #1033 for the complete policy.

## LEGAL NOTICES

**Asbestos Notification** In accordance with EPA regulations, Mitchell School District buildings have been inspected for friable materials that contain asbestos. No friable (sometimes defined as ‘easily crumble-able’) asbestos containing materials are present in Mitchell School District school buildings. In fact, all asbestos containing materials have been removed from Mitchell School District buildings except for that in floor tile at the Mitchell High School, and Mitchell Middle School. All such floor tile has been encapsulated. Records of inspections and locations of asbestos containing materials and a copy of relevant EPA regulations are available at the District Central Office, located at the MCTEA building 821 North Capital Street Mitchell, SD 57301.

**Bullying (Policy 111)** Persistent bullying can severely inhibit a student’s ability to learn effectively or a member of the staff’s ability to do their job. The negative effects of bullying can have an impact on a person for their entire life. We are committed to providing a caring, friendly and safe environment for all of our students so they can learn in a relaxed and secure atmosphere. Bullying of any kind is unacceptable. If bullying does occur, all students should be able to tell and know that incidents will be dealt with promptly and effectively. Bullying is repeated and intentional harmful behavior initiated by one or more students and directed toward another student. Bullying exists when a student with more social and or physical power deliberately dominates and harasses another who has less power. Bullying is unjustified and typically repeated. Bullying differs from conflict. Two or more students can have a disagreement or a conflict. Bullying involves a power imbalance element where a bully targets a student who has difficulty defending himself or herself. The forms of bullying: Physical-involves harmful actions against another person’s body Verbal-involves speaking to a person or about a person in an unkind or hurtful way Emotional-involves behaviors that upset, exclude, or embarrass a person Sexual-involves singling out a person because of gender and demonstrates unwarranted or unwelcome sexual advances Racial-involves rejection or isolation of a person because of ethnicity The school board expects students to conduct themselves in a manner in keeping with their levels of development, maturity, and demonstrated capabilities with proper regard for the rights and welfare of other students and staff. The school board believes that standards for student behavior must be set cooperatively through interaction among the students, parents and guardians, staff and community members of the school district, producing an atmosphere that encourages students to grow in self-discipline. The development of this atmosphere requires respect for self and others, as well as for district and community property on the part of students, staff, and community members. The school board requires its school administrators to implement practices that ensure both the appropriate consequences and remedial responses to a student or staff member who commits one or more acts of harassment or bullying. The school board requires the principal and/or the principal’s designee at each school to be responsible for receiving complaints alleging violation of this policy. All school employees, students, parents, visitors or any other member of the community are required to report alleged violations to the school principal or designee. The school principal and/or principal’s designee are to be responsible for determining whether an alleged act constitutes a violation of this policy. In so doing, the principal or and principal’s designee shall conduct a prompt and thorough, investigation of each alleged incident. Building principals or their designee shall annually discuss the school district policy on bully prevention with students and staff. The school district will incorporate information regarding this policy in each school handbook.

### **Cyber Bullying**

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



transmit. Hate mail, harassment, discriminatory remarks, or other anti-social behaviors are expressly prohibited. Cyber bullying includes, but is not limited to the following misuses of technology: harassing, teasing, intimidating, threatening, or terrorizing another person by sending or posting inappropriate and hurtful e-mail messages, instant messages, text messages, digital pictures or images, or web site postings, including blogs. It is also recognized that the author (poster or sender) of the inappropriate material is often disguised (logged on) as someone else. Students and community members, who believe they have been victims of such misuses of technology, as described in this policy, should not erase the offending material from the systems. A copy of the material should be brought to the attention of a principal or teacher. Malicious use of District's computer system to develop programs or to institute practices that harass other users to gain unauthorized access to any entity on the system and/or change the components of an entity on the network is prohibited. Consequences of Bullying/Cyber Bullying Disciplinary action may include, but is not limited to, the loss of computer privileges, detention, Saturday School, suspension, or expulsion for verified perpetrators. In addition, when any kind of threat constitutes a violation of law, it shall be reported to local law officials. For more information on the disciplinary consequences for engaging in bullying behavior, refer to the student discipline section of the relevant student handbook, which can be found on the district website under the student handbook tab.

Adopted: June 22, 2009  
Revised: June 22, 2015, November 12, 2019  
Reviewed: June 27, 2011 June 10, 2019

**Civil Rights Publication:** The Mitchell School District offers its educational programs, activities, and employment opportunities to all persons without regard to gender, race, color, national origin, age, or disability. Such assurances include School District Career and Technical Education offerings, which are available to all students without qualifying criteria, and include courses in business, welding/manufacturing, construction, auto mechanics, health, culinary arts, and computers/technology. The Mitchell Schools have appointed the following individuals to coordinate these programs:

Title IV: Mrs. Sherri Becker, Mitchell Middle School, 800 W. Tenth Avenue, Mitchell, SD 57301, 605.995.3051

Title IX: Mr. Cory Aadland, Mitchell High School, 920 N. Capital, Mitchell, SD 57301, 605.995.3034 or

Mr. Bobby Reindl, Mitchell Middle School, 800 W. Tenth Avenue, Mitchell, SD 57301, 605.995.3051

Section 504: Mrs. Tracy Christensen, Longfellow Elementary School, 110 N. Mentzer, Mitchell, SD 57301, 605.995.3021

Additionally, interested persons may contact the Regional Director, U.S. Department of Education, Office of Civil Rights, One Petticoat Lane 1010 Walnut Street, 3<sup>rd</sup> Floor, Ste 320 Kansas City, MO 64103 Phone: (816) 268-0550, Fax: (816) 268-0559; TDD (800) 877-8339 Email: [OCR.KansasCity@ed.gov](mailto:OCR.KansasCity@ed.gov)

**Civil Rights Violation Complaints** Parents or students who believe their or their students' civil rights have been violated may file a complaint with the appropriate federal regional civil rights regional office by contacting the Office for Civil Rights, U.S. Department of Education One Petticoat Lane 1010 Walnut Street, 3<sup>rd</sup> Floor, Ste 320 Kansas City, MO 64106 Phone: (816) 268-0550, Fax: (816) 268-0599; TDD (800) 877-8339 Email: [OCR.KansasCity@ed.gov](mailto:OCR.KansasCity@ed.gov)

**Complaints Concerning Federally Funded Programs** Parents or students who have concerns or

complaints about federally funded programs (Special Education, Title I, Migrant, Title III, Homeless, etc.) may refer to Board Policy 118, available in board policy manuals in all school libraries or on the district website at [mitchellschools.org](http://mitchellschools.org), or may file a written complaint directly with the Superintendent of Schools at:

Mitchell Middle School  
800 West 10th  
Mitchell, SD 57301

**Directory Information:** The Family Education Rights and Privacy Act (FERPA), a Federal law, requires that the Mitchell School District, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child’s education records. However, the Mitchell School District may disclose appropriate designated ‘directory information’ without written consent, unless you have advised the District to the contrary in accordance with District procedures. The primary purpose of directory information is to allow the Mitchell School District to include this type of information from your child’s education records in certain school publications. Examples include:

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

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

If you do not want the Mitchell School District to disclose directory information from your child’s education records without your prior written consent, you must notify the District in writing by the first day of the school year or the first date of the students’ enrollment if this occurs after the first day of the school year. The Mitchell School District has designated the following information as directory information: students’ name, address, telephone listing, electronic mail address, photograph, date and place of birth, major field of study, dates of attendance, grade level, participation in officially recognized activities and sports, weight and height of members of athletics teams, degrees, honors, and awards received including honor roll designations, and the most recent education agency or institution attend.

**Equal Opportunity Employer** The Mitchell School District is an equal opportunity employer and does not discriminate on the basis of race, national origin, religion, age, sex, marital status or disability. It is the policy of the Board of Education that no otherwise qualified person will be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any district program or activity on the basis of race, religion, gender, gender identity, sexual orientation, age, national origin, or disability.

**Family Education Rights and Privacy Act (FERPA):** The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age (“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 of the day the School receives a request for access. Parents or eligible students should submit to the School Principal (or appropriate school official) a written request that identifies the record(s) 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 violations of the student's privacy rights under FERPA. Parents of eligible students who wish to ask the school to amend the record should write the school principal (or appropriate school official), 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 advise them of their right to a hearing regarding the request for amendment. 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 consent to disclosures of personally identifiable information contained in 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); a person serving on the School Board; a person or company with whom the school has contracted as its agent to provide a service instead of using its own employees or officials (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assistant to 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 her or her professional responsibility. Additionally, upon request, the school discloses education records without consent to officials of another school district in which a student seeks or intends to enroll.
- (4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the Mitchell School District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are: Student Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-5920. Phone (800) 872-5327

**Harassment/Sexual Harassment:** Actions that are meant to intimidate and embarrass others are very harmful in a school environment because they often result in harm to a student's educational experience. It is a type of bullying and a form of violence.

**Bullying**—Intimidating actions will not be tolerated. Students should report bullying to teachers, counselors, and administrators so that the bullying can be stopped. Continued bullying is harmful to a whole classroom and school. Students who laugh at it, go along with it, or fail to report it become part of the problem.

**Sexual Harassment** in any form will not be tolerated. It is the policy of the school district that no administrator, faculty member, staff member or student shall be subject to sexual harassment by others. This policy (#115R) is available in full at the Central Administration Office and all building libraries or on the district website at <https://www.themitchellkernels.com/board-policies> Students or parents who report sexual harassment shall be free from retaliation, in all cases including those involving school employees. All forms of harassment should be reported to school administration.

**Opportunities Available For All Students** The Mitchell School District will make modifications to its programs, facilities, employment practices, and activities to accommodate all qualified individuals with a

disability. The district will assure that all educational services will be provided and offered to all students including disabled/disadvantaged students. The district assures that all students will receive an equal opportunity to achieve educational benefits including Career and Technical Education programs.

**NCLB Notification** The federal education legislation, No Child Left Behind, requires that all parents be notified and given the opportunity to request information about the professional qualifications of classroom teachers instructing their child. If you are interested in this information, you may contact your building principal or the superintendent of schools who will provide a written response to you, with a copy going to the affected teachers.

Local Education Agencies (LEA) must

- disseminate to parents, teachers, and staff and members of the community the results of its Adequate Yearly Progress (AYP) and assessment results for each school annually.
- disseminate to parents the written complaint procedures for filing complaints about the implementation of federal programs.
- inform parents of each child in a Title I school of their right to request information on the professional qualifications of their children's classroom teachers and paraprofessionals providing instructional support. Schools must notify parents if a child is taught for four consecutive weeks by a teacher who is not highly qualified.

Title I schools must hold an annual meeting to disseminate information about the Title I program, notify parents of the required annual meeting, and inform them of their right to request additional meetings.

Parent Notification for districts with schools in school improvement must include the following. Local education Agencies (LEA) must provide to parents of every student enrolled in an identified school an explanation of what that improvement means; how the school compares in the terms of academic achievement to other schools in the district and the state; the reasons for the identification; and explanation of what the school, the LEA and the State Education Agency (SEA) are doing to help the school address low achievement; and an explanation of how parents can become involved. Parents of students enrolled in identified schools must be notified of their right to transfer their child to a higher performing school in the district. This notice should state that transportation to the new school will be provided free of charge; identify each public school, including any charter schools, the parent can select; and include information on the academic achievement of those schools, including a comparison to the child's current school.

Supplemental Educational Services (SES) for schools identified for years 2 or later in improvement, the LEA must provide parents with notice of the availability of SES, including information about enrollment and the choice of providers.

LEAs must notify parents and teachers of their right to comment and participate in the development of a restructuring plan for schools identified for restructuring.

**Non Discrimination** It is the policy of the Board of Education of the Mitchell School District that no otherwise qualified person will be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any district program or activity on the basis of race, religion, gender, gender identify, sexual orientation, age, national origin, or disability.

**Protection of Pupil Rights Amendment (PPRA):** PPRA affords parents certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

1. Consent before students are required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED)—
  - a. Political affiliations or beliefs of the student or student’s parent;
  - b. Mental or psychological problems of the student or student’s family;
  - c. Sex behavior or attitudes;
  - d. Illegal, anti-social, self-incriminating, or demeaning behavior;
  - e. Critical appraisals of others with whom respondents have close family relationships;
  - f. Legally recognized privileged relationships, such as with lawyers, doctors or ministers;
  - g. Religious practices, affiliations, or beliefs of the student or parents; or
  - h. Income, other than as required by law to determine program eligibility.
  
2. Receive notice and an opportunity to opt a student out of---
  - a. Any other protected information survey, regardless of funding;
  - b. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
  - c. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information of others.
  
3. Inspect, upon request and before administration or use—
  - a. Protected information surveys of students;
  - b. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
  - c. Instructional material used as part of the educational curriculum.

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law.

Parents who believe their rights have been violated may file a complaint with: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-5920 Phone (800) 872-5327

**Section 504** is part of the Rehabilitation Act of 1973 that applies to persons with disabilities. Section 504 is **a civil rights act that protects the civil and constitutional rights of persons with disabilities. It states that no person with a disability can be excluded from or denied benefits of any program receiving federal financial assistance.** Section 504 and Special Education are two separate and distinct services. Should you have questions about Section 504, please contact your building principal or the office of the superintendent of schools at 995-3010.

**Student Complaints and Appeal Procedures:** Students who wish to file complaints or appeal decisions of school officials, or parents who wish to do so on their child’s behalf, may do so through the process outlined in Board Policy #1045, available in school libraries and administrative offices. The primary purpose of the procedure outlined in this policy is to secure, at the earliest level possible, equitable solutions to a complaint or appeal, if justifiable. The proceedings at each level of this procedure shall be kept confidential by school officials. The process begins with the student/parent and teacher. If the problem is not resolved, the teacher’s decisions can be appealed by the student/parent to the principal using the Appeal Filing Form as part of the same policy.

**Title IX** Students, their parents, and employees of the Mitchell School District 17-2 are hereby notified that this school district does not discriminate on the basis of sex/gender and is required by Title IX not to

discriminate on the basis of sex/gender in its educational activities and employment practices. Any person having inquiries concerning the Mitchell School District's compliance with Title IX is directed to contact Mr. Cory Aadland at Mitchell High School, 920 N. Capital, Mitchell , SD 57301; Phone (605) 995-3034 or Mr. Bobby Reindl at Mitchell Middle School, 800 W. Tenth, Mitchell, SD 57301 or by phone at (605) 995-3051.

Copies of all Board policies can be obtained at the Administration and School Offices.

**US Department of Education**, Office for Civil Rights, U.S. Department of Education One Petticoat Lane  
1010 Walnut Street, 3<sup>rd</sup> Floor, Ste 320 Kansas City, MO 64106 Phone: (816) 268-0550, Fax: (816) 268-0599;  
TDD (800) 877-8339 Email: OCR.KansasCity@ed.gov