

2022-2023 Staff Handbook



East Fairview Elementary School

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Fairview, MT 59221

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Our goal is for everyone to be successful and all decisions made should always make things better for the students. A successful school inspires all, and we have the resources to make that happen. Expect a great year! “It’s Your School”

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School employees are professional people who work in the public arena and may live in the community. The people in our community will perceive you as a school employee both in and out of school. For better or worse, this means you have to be aware of the impression you make in school and in the community. This Handbook is designed to guide and assist in your success.

Throughout this Handbook, the term “Teacher or Teachers” includes all school employees (certified teachers, para-professionals, custodial staff, secretarial staff, and Administrator), unless specifically set forth.

EAST FAIRVIEW ELEMENTARY

2.1 **Mission Statement.** The Mission Statement of East Fairview Elementary School states:

The mission of our school **It’s YOUR School.**

Our vision is to create a physically and emotionally safe and effective environment which encourages a growth mindset and engages students in the learning process to prepare them for future success with the understanding that failure is part of that process.

1.2 **Belief Statements.** East Fairview Elementary School belief statements. We will make decisions based on the following:

- 1. Relationships before Rigor.**
- 2. Grace before Grades.**
- 3. Patience before Programs**
- 4. Love before Lessons.**

SETTING UP A SUCCESSFUL SCHOOL YEAR

2.1 **Expectations.** A high expectation of all students is a necessity. Expect the students to reach greater heights. Material should never be watered down to the extent that no student is challenged. Research proves that teachers get what they expect. Expect great things!

When entering the classroom on the first day of school, remember you are the teacher, not the students’ friend. You must establish respect from, and for, your students. Never treat them differently than you would want to be treated. Dignity is a must. Never exert your power, but always demonstrate and operate in your authority.

As respect is established, the students may trust you with personal information. They may even look to you as a friend or advocate, but if you enter the classroom with friendship in mind, authority will probably be clouded, and chaos may result.

On the other hand, recognize that you will not be a hit with every student every day.

2.8 Teaching Certificates

A copy of the certificate must be given to the Business Manager.

2.8 Credits

Teachers obtaining additional college credits for advancement of the hiring schedule must give notification of intent to pursue summer course work to the Administrator before May 15th of the year in which said credits will be earned.

2.4 Paychecks.

Certified Teachers will choose either Option 1 or Option 2: Option 1: pay day will be on the second Wednesday of each month. Option 2: pay day will be bi-monthly.

Classified employees will be paid bi-monthly.

Teachers will receive all checks or have them deposited (if that has been set up) before 3:00 o'clock P.M. on pay day.

The final checks (including payment for June, July, and August) will be paid directly to the Teacher by the Administrator upon satisfactory end-of-year checkout.

2.5 Dress Code.

Teachers are expected to adhere to the same dress code as the students (set forth in the student handbook). Teachers may wear jeans by using a jeans card. For meetings with administration personnel or a parent/guardian, Teachers will want to appear as professional as possible so dressing appropriately is encouraged. Appropriate dress depends on the climate, as well as community expectations.

2.6 Language in the Classroom. Obscene language is not to be used in the classrooms by Teachers, nor do Teachers permit the students to do so. Even if vile things are thought, they should not be said. Teachers need to always convey respect for self and others.

Correct grammatical structure should be spoken and written at all times. Students need to hear and see formal register being used to aid vocabulary development and usage.

2.7 Confidentiality. Confidentiality is non-negotiable. School matters are not discussed outside of school. Teachers should never discuss students with others outside of school. In fact, many times student matters should not be discussed with other Teachers. Professionalism needs to be utilized always.

2.8 Classroom Rules, Etc. Classroom rules and fire drill maps must be posted in a visible area in the classrooms. Fire drill procedures are set forth in the Handouts section attached to this document.

4.2 Playground and Equipment Safety Guidelines. Guidelines are set forth in the Safe & Civil School Policies.

4.2 Duty or Duties. Duties (before and after school, recess, lunch, etc.) are assigned by the Administrator. Duty personnel need to be present at all scheduled duties. The safety of students is the greatest concern. Arrive on time and stay through the scheduled duty. Don't expect others to "cover" for you. Be responsible. The students are counting on you. Supervision guidelines are set forth in the Safe & Civil School policies.

2.12 Field Trips. The Field Trip Policy is set forth in the Handouts section attached to this document. Policy must be followed.

No more than two field trips per grade level can be taken each school year. Transportation must be arranged prior to field trip dates. Grade level teachers are encouraged to conduct field trips. It is highly recommended that field trips be an extension of curricula adopted by the East Fairview School District.

2.13 Lesson Plans. Completed lesson plans will not be collected but the Administrator may look at them sporadically. The Administrator may require lesson plans to be turned in, as needed.

DISCIPLINE

3.1 Consequences for Major Offenses. Major offenses are as follows:

1. Tobacco – smoking and chewing tobacco
2. Alcohol/Drugs
3. Insubordination/Insolence
4. Damage/Destruction of School Property
5. Vandalism
6. Theft
7. Bodily Harm/Fighting
8. Bullying/Harassment/Intimidation/Hazing
9. Truancy
10. Weapons
11. Sexual Conduct/Harassment

The policy for consequences for major offenses is set forth in the Handouts section attached to this document.

FACULTY MEETINGS AND EARLY RELEASE TIME

4.1 Faculty Meetings. Faculty meetings are held when needed. PLC meetings are held weekly and on designated Fridays.

4.2 Early Release Time. We will try to match these days with FHS as much as possible.

PROGRAMS USED

5.1 Reading Programs Used. The Reading programs and/or assessments currently used are:

5.1a. STAR 360 Reading. On-line assessment tool to determine levels of reading achievement.

5.1b. Benchmark Literacy. Our reading textbook.

5.2 Math Programs Used. The Math programs currently used are:

5.2a. Go Math. Our math textbook.

5.2b. Star 360 Math. On-line assessment tool to determine levels of math achievement.

DEFINITION OF ASSESSMENTS

6.1. Screening Assessment. This is a brief assessment to identify students likely to need extra or alternative forms of instruction. This assessment is used to classify students as **at risk** or **not at risk** of failure.

6.2. Diagnostic Assessment. This is an assessment conducted at any time during the school year when more in-depth analysis of a student's strengths and weaknesses is needed to guide instruction. This assessment provides detailed information on skills. Its purpose is to help Teachers plan instruction.

6.3. Progress Monitoring Assessment. This assessment is conducted a minimum of three (3) times each year on a routine basis (i.e., weekly, monthly, or quarterly) using comparable and multiple tests forms to:

- c. Estimate rates of improvement;
- b. Identify students who are not demonstrating adequate progress, and therefore, require additional or different forms of instruction; and/or
- c. Compare the efficacy of different forms of instruction for struggling students, and, thereby, design more effective, individualized instructional programs for those at-risk learners.

This assessment describes rates of improvement within the academic year to determine adequacy of progress. Its purpose is to modify programs as needed to insure year-end goals.

- 6.4. Outcome Assessment. This assessment is to classify a student in terms of whether that student achieved grade level performance or improved. It provides a bottom-line evaluation of the effectiveness of a program and/or instruction. Its purpose is to formulate judgments about the quality of the program and/or instruction.

OBSERVATION/EVALUATION OF TEACHER

- 7.1 Observation/ Evaluation by Administrator. Certified Teachers with more than 3 years in the District will be formally evaluated by the Administrator once each school year. Certified Teachers with less than 3 years in the District will be formally evaluated by the Administrator twice each school year. Additionally, the Administrator may make unlimited informal observations and/or evaluations (announced or unannounced) throughout the school year.

The first observation/evaluation of Teachers with less than 3 years must be scheduled and completed on or before December 15. The second observation/evaluation of Teachers with less than 3 years and the first evaluation of Teachers with more than 3 years must be scheduled and completed on or before March 15.

- 7.2 Conferences with Administration. If a conference is scheduled among or between the Administrator and a beginning Teacher, the beginning Teacher may request that a veteran Teacher attend the meeting also. The veteran Teacher will assist the beginning Teacher if asked.

PARENTS/GUARDIANS

- 8.1 Contact with Parent/Guardian. Contact with the parent/guardian is encouraged before the first Parent-Teacher Conference. When a parent is called, clearly state your name, school, and connection with the child. It is recommended that a parent/guardian be contacted before there is an issue that needs to be discussed. Then when an issue arises, a positive relationship may be in place and resolution of the problem may be more quickly reached.

Communication with the parent/guardian is a major component of student success.

- 8.2 Parent/Guardian Volunteers. The use of volunteers in the classroom (or on field trips) is strictly an individual choice. If you have questions, ask a veteran Teacher about this.
- 8.3 Parent-Teacher Conferences. Certified Teachers are required to prepare for, and attend, twelve hours of Parent-Teacher Conferences each school year. The first six hours are at the end of the first quarter. The second six hours are near the end of the third quarter.

Organization is a key element. Easy access to the grade book and other materials is crucial. Searching frantically for information while a parent/guardian waits does not calm or eliminate the fears of the parent/guardian about the learning environment of the student.

Sometimes Teachers have difficulty talking with the parent/guardian. Before the conference, ask another teacher to role play the conversation to eliminate some of the “butterflies in the stomach.”

Be aware of time schedules and stay within established time schedules for conferences.

Be a good host. Meet the parent/guardian at the door and make the parent/guardian comfortable.

It is better if conferences are held at a neutral location, such as a work table. Teachers sitting at their own desks often cause the parent/guardian to feel subordinate.

Remember that a conference is confidential and for professional use only. Attempt to keep personal feelings out of the conference. It is important to discuss students as individuals. They should not be compared with other students (in the same family or classroom).

Begin the conference with a student strength, voice any concerns, and end the conference with another positive comment about the student.

Be positive with the parent/guardian but be honest. There is nothing more cruel than for a parent/guardian to believe that his/her child is doing well in school and is on grade level, but later finds out from the teacher the next year that the child is actually performing below grade level. Being honest with the parent/guardian about the student’s skills is crucial.

Do not criticize school policies or other teachers. Don’t ask personal questions, gossip, or listen to gossip.

8.4 Successful Tips. The following are some tips for successful Parent-Teacher Conferences:

8.4a. The teacher’s attitude will set the tone for the conference. Smile! Establish a rapport with the parent/guardian and define the common goal of working together to meet the needs of the student.

8.4b. Make the parent/guardian feel comfortable. Do not criticize or make statements which might place parent/guardian on the defensive. Realize that you are dealing with individuals. Reactions of the parent/guardian will be different.

8.4c. Remember that parent/guardian want the best for their child. They want their child to succeed and will generally accept responsibility toward this goal.

- 8.4d. Encourage the parent/guardian to share information and listen to their concerns. Teachers can learn more about the child by listening, rather than by talking.
 - 8.4e. Anticipate questions the parent/guardian may have. Be prepared with information about special projects, grading and homework policies, behavior, social interaction, etc.
 - 8.4f. Accept all verbal contributions concerning the student made by the parent/guardian.
 - 8.4g. Be supportive and willing to help. Be willing to share your ideas.
 - 8.4h. Be considerate of the feelings of the parent/guardian. Remember, this is their child about whom you are talking.
- 8.5 Conclusion of Parent-Teacher Conferences. When concluding the conference:
- 8.5a. Be sure to summarize the conference, noting the positive aspects, what needs to be worked on, and recommendations.
 - 8.5b. Outline a plan of action (with plans for follow-up activities).
 - 8.5c. If the parent/guardian has shared important information, make a note of it immediately after the conference is completed.
 - 8.5d. Follow up on suggestions or plans made during the conference and encourage the parent/guardian to do the same.
- 8.6 Notes to Parent/Guardian. Notes written to parents should be accurate (in spelling, grammar, and/or details) and to the point. Typing (email) notes is strongly encouraged. Professional jargon has no place in notes written to parent/guardian. All special event correspondence sent home must have the prior approval by the Administrator. It is unprofessional to schedule an event without notifying the office. Often the parent/guardian will contact the office with questions and the office personnel need to be informed to answer questions.
- 8.7 Hostile Parent/Guardian. If a parent/guardian arrives angry, draw on anger-management techniques. (If a Teacher feels threatened, request that the meeting be moved to the Administrator's office and start moving in that direction. Safety is paramount.)

At conferences, listen attentively. Restate what you hear the parent saying. Acknowledge the anger, but don't allow it to control the conference. If the parent/guardian is unable to get over the anger, suggest that the conference be continued at another time.

Give everyone at the conference an opportunity to relate their perspective and suggest solutions. It is usually best when the student also agrees with the proposed solution. Try to emphasize student potential and possible solutions. Make it clear that this student can be successful.

CLASS WORK, HOMEWORK, REPORT CARDS, PROMOTION/ RETENTION, ETC.

- 9.1 Practice. Work is assigned to practice skills already taught. Assigning homework is encouraged, but not mandatory.
- 9.2 Make-up Work. Students are required to make up all work missed due to any absence or tardiness. Per our Power of ICU system, all students complete all assignments. They will be put on the list until they are completed.
- 9.3 Grading Scale. The grading scale adopted by East Fairview Elementary School is in the Handouts section, attached to this document.
- 9.4 Report Cards. Comments should be specific. A comment like, “_____ is doing fine,” is vague and unhelpful to the parent/guardian and/or students. Carefully proofread written comments (or have another Teacher help with this). Don’t be afraid to use a dictionary. Spelling or grammatical errors do not reflect well on the Teacher or the School. In fact, the image is very negative!
- 9.5 Promotion/Retention. Whenever retention is being considered, but no later than the end of second quarter, the Teacher will confer with the Administrator regarding a student who may be considered for retention. The parents/guardian shall be invited to meet with the Administrator and Teacher. Information will be presented to explain the student’s progress to date. The parent/guardian will be advised on how he/she/they might assist the student during the balance of the school year.

By the end of the third quarter (or March 1), whichever is sooner, the Parent/Guardian, Administrator, and Teacher will meet again to determine if the student’s needs would be best served by promotion or retention. On or before May 1, a final determination of retention or promotion will be made. If the parent/guardian wishes the student to be promoted, ignoring the school’s recommendation, the parent/guardian will be asked to complete a form reflecting the decision of the parent/guardian. Regardless of whether the parent/guardian chooses retention or promotion, a Promotion and Retention form must be completed and signed by the parent/guardian. A copy of the Promotion/Retention form is attached in the Handouts section of this document.

CONFLICTS WITH ANOTHER STAFF

- 10.1 Conflicts with other employees. With the number of employees working in our building, conflict is certain to happen. Misunderstandings are common. Rather than drawing others into the conflict, try to resolve the problem between the two individuals. Talking to others about it usually does not foster good relations.

After talking to the other individual, a resolution is not possible; contact the Administrator or a veteran Teacher on the floor to help resolve the situation.

Sometimes (actually most times) the advice that Thumper's mother told him works well. "If you can't say sumpin' nice, don't say nothin' at all." (Forgive the grammatical mistakes.)

Adhering to the Golden Rule is good practice.

MISCELLANEOUS STUDENT INFORMATION

- 11.1 Hall Passes. It is recommended that students carry a hall pass when moving alone (or in small groups).
- 11.2 Telephone Calls. Students must have written permission from the Teacher to use the office telephone. Ascertain the need for using the telephone before sending the student to the office. Frivolous requests should be squelched.
- 11.3 Sick Students. Send ill students to the office and the office personnel will contact the parent/guardian.

SUBSTITUTE TEACHERS

- 12.1 Substitutes. Contact Business Manager if a sub is needed, she will find class coverage. For scheduled absences, please fill out Absence request form. Completed forms should be turned in to the Business Manager, if you would like Business Manager to arrange a sub for you leave sub section blank on form and one will be arranged.
- 12.2 Preparing for a Substitute. Teachers need to prepare a substitute file or folder, which should be in a conspicuous place in the classroom, preferably on the Teacher's desk. This file (or folder) should contain at a minimum the following:
 - Class Roster (if a classroom teacher)
 - Up-to-date Seating Chart;
 - Names of students who present particular problems and suggested ways of handling them;
 - Class Schedule (Current daily schedule on a separate sheet, plus any additional duties Teacher has for each day of absence);
 - Names and times of students going to specialists;
 - List of anything special taking place on the day of your absence (i.e.: assemblies, physical education, art, music, etc.). Try to include a brief note regarding these procedures.
 - Duty Schedule;
 - Emergency Procedures;
 - Safe & Civil School Guidelines;

- Lesson Plans (for days missed); Plans should be in sufficient detail to allow the substitute to proceed without further assistance.

All materials and supplies needed to implement the lesson plans should be ready. The substitute should not be expected to get these things together. Whether or not the substitute is expected to correct assignments given is left to the discretion of the teacher. Contacting the substitute by phone or in person, when possible, is encouraged.

If any irregularities are occasioned by the substitute's visit, report these to the Administrator immediately upon knowledge.

12.3 Substitute Tips.

- 12.3a. Leave plans for bona-fide work. Don't leave just "busy work." Provide a variety of work, balancing a written assignment with a relaxing assignment. Always leave too much work, rather than too little.
- 12.3b. Don't plan the introduction of new concepts. A substitute can lead a meaningful review or continue with a unit in progress.
- 12.3c. Don't plan anything too elaborate or specialized. It may take more time than it's worth to set up small groups. A large group activity can be done in most subjects for one day.
- 12.3d. Don't plan lessons involving technology unless someone can demonstrate the proper operation of the equipment.
- 12.3e. Do provide enrichment material. Early finishers can be a problem for a substitute.
- 12.3f. Make a list of helpful students.
- 12.3g. If possible, leave your telephone number in the event that the substitute needs to contact you.

END OF SCHOOL YEAR

- 14.1 End of Year. The end of the school year is often hectic and chaotic. Allow additional time to complete the cumulative files. Beginning Teachers are often unaware of the amount of time needed to complete these files.

The cumulative files are kept in the safe in the office and may not be taken out of the building.

The final report card is sent home on the last day of school. If a student leaves before the final day of school, the report card will be mailed to the student. Final report cards are not handed out prior to the last day of school.

14.2 Textbooks. Marks in textbooks should be erased prior to students returning the books to Teacher. If a textbook is damaged (excluding reasonable wear and tear), the student may pay for the damaged book.

14.3 Cleaning. All posters, etc. are removed from the walls and put away. There should be no materials or supplies left on the countertops. The room should look “sterile” when the students leave.

The students must take all materials home and clean out the desks. The custodian has cleaning supplies that the students can use to clean desks (both inside and outside).

HIDDEN RULES OF THE SCHOOL AND COMMUNITY

15.1 Hidden Rules of School.

15.1a. Teachers are responsible for locking and/or unlocking classroom doors at all times. Do not ask the custodian to unlock doors before the Teacher arrives.

15.1b. Turn off equipment and lights when leaving for the day. Windows should also be closed.

15.1c. If the Teacher comes to work after hours, the front door should be kept locked at all times.

15.1d. Teachers must supervise hallways, whether that Teacher’s students are traveling through the hallways or not.

15.1e. Never leave students unattended. If the Teacher must leave the classroom, have another adult watch the room.

15.1f. If a student is having academic difficulty, notify the parent/guardian immediately. Do not wait until the student is failing and has no chance to pass that quarter or semester.

15.1g. It is the responsibility of the Teacher to contact the parent/guardian when a student is having academic or behavior difficulty. Don’t ask other school personnel to contact the parent/guardian.

15.1h. Keep the room clean and uncluttered.

15.1i. Have the students clean up after themselves. Teachers please clean up after yourselves. Don’t leave messes for the custodian to clean up.

15.1j. Have the students stack the chairs at the end of each day so that the classroom can be swept.

15.1k. Take care of the floor. Teachers without drop cloths should contact the office when doing art or painting projects.

- 15.1l. Discarded item(s) should not be placed in the hallway. Leave the item(s) in the classroom, mark them as trash, and notify the custodian of the item(s) that need to be removed. Empty boxes need to be broken down.
- 15.1m. Water bottles can be used per teacher approval.
- 15.1n. Limit personal use of cell phones to Teacher prep time and not in the presence of students.
- 15.1o It decreases the workload of everyone if Teachers work together and help.
- 15.2 Hidden Rules of the Community.
 - 15.2. a Please limit (or do not give) practice on Wednesdays so that families may attend church activities.

ASK QUESTIONS!

- 16.1 Teachers are not islands. A Teacher should not isolate her/himself. If something is not understood, ask questions. Ask lots of questions! All of us have depended on others at one time or another in our journey.

ATTENDANCE POLICY

Any student accumulating **more than 10** absences per academic semester may meet, along with their parents, with the Board of Education and Administration to justify the absences to the satisfaction of the Board and Administration at the next regular board meeting.

Morning: Students who arrive at school after 8:00 A.M. but before 10:00 A.M. will be counted as "TARDY". Students arriving after 10:00 A.M. will be counted as "ABSENT" for that morning.

Afternoon: Students who arrive at school after the time that classes are scheduled to begin, but before 2:00 P.M., will be counted as "TARDY". Students arriving after 2:00 P.M. will be counted "ABSENT" for that afternoon.

CHILD ABUSE AND/OR NEGLECT

Recognizing the potentially harmful effects of child abuse and neglect, East Fairview School complies with the criminal codes, which are concerned with the reporting of suspected cases of child abuse and neglect.

Recognizing the seriousness of child abuse and neglect, this School requires compliance of this law by all school teachers, school officials and other employees who work during regular school hours.

This law provides for all records concerning reporting of child abuse or neglect to be confidential and immunity from any liability, civil, or criminal, that might otherwise be incurred or imposed, unless the person acted in bad faith or with malicious purpose.

When a teacher, school official, or other employee who works during regular school hours suspects child abuse or neglect, that person should immediately notify social services.

FIELD TRIP POLICY

Permission slips must be signed by a parent/guardian only and must be returned by the day prior to the scheduled day for the field trip.

- Students may not serve a Friday School or an in-school suspension for behavior during the semester that the field trip is taking place.
- Students may not have 10 tardies or more, 10 days absent or more, or a combination that equals 10 during the semester in which the field trip takes place.
- Students may not be on the ICU list the week of the field trip.

*Students in violation of the above criteria will not be allowed to take part in the field trips.

GRADING POLICY

Grades K – 8 will use Standards Based Grading. The numbers displayed in standards-based report cards replace the traditional letter grades to provide more accurate feedback to parents and students. The numbers, typically from 1-4, reflect where the student is currently in working towards being proficient in each standard. A “1” indicates that the student is beginning to learn the standard; “2” means the student learning is emerging but not yet at the proficient level; “3” expresses that the student is proficient at the desired level-this is our goal level, and “4” means the student is extending learning on that standard.

GRADING & REPORT CARDS

Teachers are responsible for the professional evaluation of students under their charge and in accordance with District standards. Only the teacher that assigns a grade can change the grade.

Progress/Report Cards are sent home each grading period. Reports will be made to the parents at other times when the student is experiencing difficulties.

The final progress report card is sent home the last day of school. The final report cards will not be handed out before the last day of school.

FIRE AND BOMB EXIT PROCEDURE

WHEN ALARM SOUNDS:

Push chairs under desks. **Leave lights on!**

Teachers will close the door.

EXITING: K, First, & Second will exit through the playground door. Gather on field.
Third, Fourth, & Fifth will exit through the front door.
Kitchen, Music, Office, and Lunch rooms will exit through the front door.
Sixth, Seventh, Eighth, & Computer Lab will exit through front gym door.
Gym will exit through front gym door

Once outside, teachers will gather on parking lot and account for their students.

Administration will check bathrooms and hallways.

Enter the building when whistle is blown three times.

PUBLIC CONCERNS RESOLUTION

Any area of concern brought to the attention of the Board of Trustees, Administration, and/or staff will be addressed through the prescribed process designed for that purpose. Upon receipt of a concern, the process will be directed to the proper official by the recipient. The process will then proceed through the appropriate chain of command for timely resolution at the lowest possible level.

For example: If a parent has a concern with a teacher, the parent should address the issue with the teacher before talking to the Administrator. If a satisfactory resolution is not reached at the building level, the parent would contact the school board. If a parent has a concern with a bus driver, contact the bus driver before you talk to the Administrator. If a satisfactory resolution is not reached at the building level, the parent would contact the school board.

DISCRIMINATION AND HARASSMENT GRIEVANCE PROCEDURE

General Prohibitions

The Yellowstone School District is committed to maintaining a learning and working environment free from discrimination and harassment in all employment and educational programs, activities, and facilities. The District prohibits discrimination and harassment based on a student's, parent's, guardian's, or employee's race, color, religion, sex, gender identity, national origin, ancestry, disability, age, or other status protected by law. The District also provides equal access to the Boy Scouts and other designated youth groups, as required by federal law.

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

The District shall promptly investigate any discrimination, harassment, or retaliation complaint and act on findings as appropriate, or as required by law, outcomes may include disciplinary measures such as termination of employment or student expulsion in accordance with board policy, law, and, when applicable, the negotiated agreement. Students and employees are expected to fully cooperate in the investigation process. The District will take steps to prevent recurrence of discrimination, harassment, or retaliation and remedy discriminatory effects on the complainant and others, if appropriate.

Definitions

- *Complainant* is the individual filing the complaint. If the complainant is not the victim of the alleged discrimination and/or harassment, the victim must be afforded the same rights as the complainant under this policy and regulations AAC-BR1 or AAC-BR2.
- *Disability* is defined in accordance with NDCC 14-02.4-02 (5).
- *Discrimination* means failure to treat an individual equally due to a protected status.

- *Protected status* is defined in applicable state (NDCC 14-02.4-02 (6)) and federal laws.
- *Employee* is defined in accordance with NDCC 14-02.4-02 (7).
- Harassment is a specific type of discrimination based on a protected status. It occurs under the following conditions:
 - a. For employees: When enduring the offensive conduct becomes a condition of continued employment, or the conduct is severe, persistent, and/or pervasive enough to create a work environment that a reasonable individual would consider intimidating, hostile, or abusive.
 - b. For students: When the conduct is sufficiently severe, persistent, and/or pervasive so as to limit the student's ability to participate in or benefit from the education program or to create a hostile or abusive education environment.
- *North Dakota Human Rights Act (NDCC ch. 14-02.4)* provides protection from discrimination in the workplace on the basis of race, color, religion, sex, national origin, age, the presence of any mental or physical disability, status with regarding to marriage or public assistance, or participation in lawful activity off the employer's premises during nonworking hours which is not in direct conflict with the essential business-related interests of the employer.
- *Section 504 (Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794)* is a federal law designed to protect the rights of individuals with disabilities in programs and activities that receive federal financial assistance from the U.S. Department of Education.
- *Sexual harassment* is a form of harassment based on sex. It is defined under Title IX as unwelcome sexual advances, requests for sexual favors, and/or other verbal, written, or physical conduct or communication of a sexual nature, that:
 - a. Constitutes *quid pro quo* harassment, meaning submission to such conduct or communication is made a term or condition, either explicitly or implicitly, of the basis for employment decisions or educational decisions or benefits for students (e.g., receiving a grade);
 - b. Is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity; or
 - c. Constitutes sexual assault, dating violence, domestic violence, or stalking as those offenses are defined in the Clery Act, 20 U.S.C. § 1092(f) and the Violence Against Women Act, 34 U.S.C. § 12291(a).
- *Sexual harassment* examples include, but are not limited to, the following:
 - a. Sexual or "dirty" jokes;
 - b. Sexual advances;
 - c. Pressure for sexual favors;
 - d. Unwelcome touching, such as patting, pinching, or constant brushing against another's body;
 - e. Displaying or distributing of sexually explicit drawings, pictures, and written materials;

- f. Graffiti of a sexual nature;
 - g. Sexual gestures;
 - h. Touching oneself sexually or talking about one's sexual activity in front of others;
 - i. Spreading rumors about or rating other's sexual activity or performance;
 - j. Remarks about an individual's sexual orientation; and
 - k. Sexual violence, including rape, sexual battery, sexual abuse, and sexual coercion.
- *Title II of the Americans with Disabilities Act* extends the prohibition on discrimination established by Section 504 to all services, programs, and activities of State and local government entities.
 - *Title VI* is a federal law that provides protection from discrimination based on race, color, or national origin in employment and employment practices in programs or activities receiving federal financial assistance.
 - *Title VII* is a federal law that provides protection from discrimination on the basis of race, color, religion, sex or national origin. Title VII applies to all public-school districts with 15 or more employees.
 - *Title IX* is a federal law that provides protection from discrimination, based on sex, in education programs or activities that receive federal financial assistance.

Other or different definitions may be set forth in board regulations AAC-BR1 or AAC-BR2.

Complaint Filing Procedure

The Board shall create an informal and formal discrimination and harassment complaint filing procedure in board regulations coded AAC-BR. For Title IX sexual harassment complaints, grievance procedures shall be followed in accordance with federal regulations and board regulation AAC-BR2.

The procedure provides for an impartial investigation free of conflicts of interest and bias. Nothing in this policy or in the discrimination and harassment grievance procedure prevents an individual from pursuing redress available through state and/or federal law.

Confidentiality

An individual wishing to file an anonymous discrimination and/or harassment complaint must be advised that confidentiality may limit the district's ability to fully respond to the complaint and that retaliation is prohibited. The appropriate grievance coordinator (Title IX, 504/Title II, or Nondiscrimination) shall perform a confidentiality analysis to determine when a request for confidentiality cannot be honored due to safety reasons or the district's obligation to maintain a nondiscriminatory educational environment. The complainant must be notified in writing of the confidentiality

analysis outcome. A discrimination or harassment investigation report is subject to the open records law after 60 days or when the investigation is complete (whichever comes first), with limited exceptions such as when the record is protected by FERPA.

Complaint Recipients

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

Policy Training and Dissemination

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

Grievance Coordinators

Districts must designate at least one employee to be their Title IX Coordinator and authorize such individual(s) to coordinate the district's efforts to comply with its responsibilities under the applicable regulations.

The Title IX Coordinator's duties include overseeing the district's response to Title IX reports and complaints and identifying and addressing any patterns or systemic problems revealed by such reports and complaints. The Title IX Coordinator must have knowledge of the requirements of Title IX, of the district's policies and procedures on sex discrimination, and of all complaints raising Title IX issues throughout the District. To accomplish this, the Title IX Coordinator must be informed of any report or complaint raising Title IX issues, even if the report or complaint was initially filed with another person or office or if the investigation will be conducted by another individual or office.

The 504/Title II Coordinator's responsibilities include overseeing the district's response to disability discrimination reports and complaints. The 504/Title II Coordinator must have knowledge of the requirements of Section 504 and Title II, of the district's policies and procedures on disability discrimination, and of all complaints raising Section 504/Title II issues throughout the District. To accomplish this, the 504/Title II Coordinator must be informed of any report or complaint raising Section 504/Title II issues, even if the report or complaint was initially filed with another individual or office or if the investigation will be conducted by another individual or office. The Board designates School Administrator as the 504/Title II Coordinator.

They may be contacted at: 301 2nd Street S, Fairview, MT 59221, (701) 844-5649.

The Nondiscrimination Coordinator's core responsibilities include overseeing the district's response to discrimination and harassment reports and complaints that do not include sex or disability under applicable federal laws, but instead the other protected statuses or sex or disability-based discrimination under state law. The Board designates School Administrator, as the Nondiscrimination Coordinator. They may be contacted at 301 2nd Street S, Fairview, MT 59221, (701) 844-5649.

Training

The Title IX, 504/Title II, and Nondiscrimination Coordinators, and any other school official responsible for the investigation of discrimination complaints, shall receive training. This training must include:

1. The definition of discrimination, harassment, and retaliation;
2. The handling of complaints under the Discrimination and Harassment Grievance Procedure (AAC-BR); and
3. The applicability of confidentiality requirements.

In addition, the Title IX Coordinator(s), investigators, decision-makers, and those facilitating an informal resolution process, if applicable, under Title IX shall receive training in a number of areas specified in board regulation AAC-BR2.