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4 The Animas Board of Education recognizes that in addressing truancy, the goal is to keep
5 students in school and not to suspend or expel any student for being truant. In
6 accordance with the Compulsory School Attendance requirements the Animas Board of
7 Education adopts the following policy.

8
9 **Definitions:**

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11 "Attendance" means students who are in class or in a school-approved activity. ~~If a~~
12 ~~student is in attendance up to one half the total instructional time during a school day, the~~
13 ~~student will be counted as having attended one half of a school day.~~ If the student
14 attends school for more than one-half of the total instructional time, the student will be
15 counted as having attended for the full day.

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17 "Habitual truant" means a student who has accumulated the equivalent of ten (10) or
18 more unexcused absences within a school year.

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20 "Truant" means a student who has accumulated five (5) unexcused absences within any
21 twenty-day period.

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23 "Unexcused absence" means an absence from school or a class for which the student does
24 not have an allowable excuse pursuant to the compulsory school attendance law or the
25 policies of the Animas Board of Education.

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27 **Requirements:**

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29 In accordance with the above definition of "attendance", class attendance will be taken
30 and maintained by class period for every instructional day for each student in each school
31 or school program within the Animas Public School District. Furthermore, the Board of
32 Education prohibits out-of-school suspension and/or expulsion as a punishment for
33 truancy.

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35 All schools will utilize the following guidelines as set forth by the Animas Board of
36 Education to provide for early identification of students with unexcused absences,
37 truants, and habitual truants. The District will provide for intervention that focuses on
38 keeping truants in an educational setting.

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40 If a student is truant, the District shall contact the student's parent(s)/guardian(s) to
41 inform them that the student is truant and to discuss possible interventions.

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43 A representative of the school district shall meet with the student and his or her
44 parent(s)/guardian(s) to identify the causes for the student's truancy, identify what actions
45 can be taken that might prevent the student's truancy, identify possible school district

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All parents having students in grades 9-12 **who refuse student access to military recruiters** are **required** to complete **and return** a form indicating ~~permission or~~ non-permission to give the student's name or any other identifiable information to military recruiters. ~~and~~ If the parent does not return **said** ~~this~~ form all requests by the military for this information will be honored. Schools are prohibited from excluding military recruiters from their campuses unless all prospective employers or post-secondary institutions are also excluded.

46 **Reference: The No Child Left Behind Act of 2001**

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- A. Cumulative record folders shall be kept **in a secure location at** ~~the records room at the central~~ **respective school buildings.** ~~offices.~~
- B. The district counselor is responsible for maintaining the cumulative record folders of students attending schools in the district.
- C. Unnecessary and outdated material may be deleted from the student’s record at any time except when a request for a review by a parent or student is pending. At a minimum, the student’s records shall be reviewed for unnecessary and outdated information when the student completes elementary school, middle school, and high school.
- D. Original special education records are kept; and, copies are maintained at the central office.

Rights of Parents to Review and Inspect Records

- A. Those who have the right to inspect and review the cumulative record folder kept about the student include (1) parents of students who are under eighteen (18) years of age, (2) parents who claim students who are at least 18 as dependents under the Internal Revenue Code, and (3) students who are at least 18.
- B. It is presumed that parents of students who have not yet reached the age of 21 who are currently attending school claim the student as a dependent for tax purposes. Any student (between the ages of 18 and 21 – at least 18 years of age attending a school within the district) who does not want the parents to have access to the cumulative folder must so inform the principal of the school where the records are kept and prove that the student is not a tax dependent of the parents. If a parent of a student (who is at least 21 or who is at least 18 and no longer attending a school within the district) wishes to inspect and review the student’s cumulative record, the parent must prove to the principal that the student is claimed as a dependent for federal income tax purposes.
- C. Parents or eligible students who wish to inspect and review the cumulative record folder shall submit a request in writing to the principal of the student’s school. When the principal receives a written request for review of the records from a parent or student who has a right to inspect the records, the principal shall schedule the review. The appointment date should be as early as possible but never later than fifteen (15) days after the request. The inspection and review shall be made in the office of the principal or at another designated place.

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4 gave the consent. If the parent gives consent for a student, the parent may
5 request that a copy of the records released be given to the student even
6 though the student is not yet 18.

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8 1. To comply with a court order or lawfully issued subpoena. Upon receipt
9 of a court order or subpoena, the principal of the school where the records
10 are kept shall immediately send written notice to the student’s parents or
11 to the eligible student at their last known address that a court order or
12 subpoena has been received.

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14 When a school official discloses information from the student’s cumulative record
15 folder, other than directory information, to anyone other than the parents of the
16 student, the student himself, or other school officials, the office shall inform the
17 person who receives the information that it may not be transferred to any other
18 party without the consent of the parents or the eligible student.

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20 A. **Inspection Log.** ~~The Superintendent shall maintain in each cumulative record~~
21 ~~folder, for which the Superintendent is responsible, a cumulative record inspection log.~~ **An inspection log shall be**
22 **maintained at the respective school office where the records are housed.** ~~a~~
23 ~~cumulative record inspection log.~~ The inspection log shall include the name and
24 reason for inspection of each person who requests access to the cumulative
25 record, but shall not include disclosures to the parents, the student, school
26 officials, or persons who have student or parent consent or disclosures of
27 directory information. The inspection log may be inspected by the student’s
28 parents or the eligible student.

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30 **Waiver of Rights**

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32 Parents of a student or an eligible student may waive any of their rights under this policy.
33 A waiver of rights must be in writing, must be by the parents or the student, and must
34 specify the rights to be waived. A waiver is effective until revoked in writing. If a parent
35 executes a waiver, the student may revoke it when reaching the age of eighteen years.

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37 **Notice to Parents and Students**

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39 Annual notice of this declaration of compliance with the Family Educational Rights and
40 Privacy Act (FERPA) shall be made by the Board of Education and said declaration shall
41 be published in a newspaper of daily circulation.

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- 1. A student smelling of marijuana can be searched for contraband, but other students should not be searched without an individualized suspicion that they are violating the law or school rules.

~~Prior to a search of a student's person, unless school officials reasonably perceive imminent risk or grave bodily harm, every effort shall be made to contact the parent and allow that parent to be present for the search.~~

Searches of a student's person beyond such minimal levels as "show me your hands," shall be conducted by a person of the same sex as the student, and shall be conducted in the presence of another authorized person of the same sex.

School employees are expressly forbidden to conduct strip searches. If there is compelling reason to believe that grave bodily harm is imminent or possible from a weapon which could be seized only after a strip search or that illegal substances or evidence of a criminal act is similarly concealed, the following procedures will be used:

- The student will be isolated from all other students immediately and will be subject to constant adult supervision.
- Police authorities will be alerted to the danger and asked to take appropriate action immediately.
- Every reasonable effort will be made to notify the student's parent(s) of the above actions as quickly as possible.

A. Scope and Extent of Searches of Student Property

School property such as lockers, desks, and similar storage facilities remain under the control of the school, although students are expected to assume full responsibility for the security of their property. Lockers, desks and similar storage facilities may be searched by school officials at any time, with or without notice or consent. Students may not use personal locks on school lockers unless access is made available to school authorities. Personal locks may be destroyed if school authorities conduct a search of lockers.

The school retains the authority to conduct patrols of vehicles brought onto school premises by students and to inspect such vehicles from their exteriors. Searches of the interiors of such vehicles may be conducted when a school official has a reasonable suspicion that it contains an object or substance in violation of law or of school policy or rules.

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Purses, wallets, bookbags, backpacks and similar items of student’s personal property may be searched.

B. Use of Dogs

In any of the foregoing actions and in the absence of students, the Animas Public Schools is authorized to use dogs whose reliability and accuracy for sniffing and detecting illegal or unauthorized substances and objects has been established. The dogs will be accompanied by a qualified and authorized dog trainer-handler who will be responsible for the dog’s actions. An indication by the dog that an illegal or unauthorized substance or object is present on school property or in a vehicle on school property shall be reasonable cause for a search by school officials.

C. Seizure of Items

Illegal items, legal items which threaten the safety or security of others, items that are evidence of prohibited activities or items which are used to disrupt or interfere with the educational process may be seized by authorized persons. Seized items may be released to appropriate authorities or a student’s parent or returned to the student later as the administrative authority deems appropriate.

When a search discloses illegally possessed contraband material or evidence of some other crime, the administrative authority shall notify the local Children’s/Juvenile Court attorney, or other law enforcement officers.

D. Notice to Students

This policy shall be published **on the school district website.** ~~in student handbooks and provided to students at the beginning of the school year or upon admission of students entering during the school year.~~

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4 **Notice of Prohibition Against Bullying and Anti-Bullying Interventions**

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6 ***1. The prohibition against bullying shall be publicized by including the following***
7 ***statement in the student handbook(s):***

8 “Bullying behavior by any student in the Animas Public School District is strictly
9 prohibited, and such conduct may result in disciplinary action, including suspension
10 and/or expulsion from school. “Bullying” means any repeated and pervasive
11 written, verbal or electronic expression, physical act or gesture, or a pattern thereof,
12 that is intended to cause distress upon one or more students in the school, on school
13 grounds, in school vehicles, at a designated bus stop, or at school activities or
14 sanctioned events. Bullying includes, but is not limited to, hazing, harassment,
15 intimidation or menacing acts of a student which may, but need not be based on the
16 student’s race, color, sex, ethnicity, national origin, religion, disability, age or sexual
17 orientation that a reasonable person under the circumstances should know will have
18 the effect of:

- 19 ▪ Placing a student in reasonable fear of physical harm or damage to the
20 student’s property; or
- 21 ▪ Physically harming a student or damaging a student’s property; or
- 22 ▪ Insulting or demeaning any student or group of students in such a way as
23 to disrupt or interfere with the school’s educational mission or the
24 education of any student.

25 Students and parents may file verbal or written complaints concerning suspected
26 bullying behavior to school personnel and administrators. Any report of suspected
27 bullying behavior will be promptly reviewed. If acts of bullying are verified, prompt
28 disciplinary action may be taken against the perpetrator, up to and including
29 suspension and/or expulsion.”

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31 ~~***2. Staff will be reminded at the beginning of each school year about the Anti-Bullying***~~
32 ~~***Policy, as well as their responsibilities regarding bullying behavior. A copy of the***~~
33 ~~***policy will be disseminated annually. The Anti-Bullying Policy will be available on***~~
34 ~~***the Animas Pubic School’s Board of Education website, and in all student, staff,***~~
35 ~~***and parent handbooks.***~~

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Use of Pesticides **376**

Animas Public Schools will notify parents and staff, who have completed and returned the request for notification of Pesticide Use Form found in the Student Handbook, at least twenty-four (24) hours prior to a building/structural pesticide application. The pre-notification requirements do not apply to any emergency application for control of pests that pose immediate threats to human health or a disruption of the learning environment. When such a situation arises, parents will be notified as soon as is feasible following the pesticide application. Pesticides will only be applied by a licensed applicator, who will maintain a record of all applications.