

# **DIETRICH BUS SERVICE**

**701-252-1007 - voice**

**701-252-1751 – fax**

**Please call if NOT Riding**

Revised July 17, 2023



## **TRANSPORTATION HANDBOOK FOR PARENTS AND STUDENTS OF JAMESTOWN PUBLIC SCHOOLS**





Jamestown Public School District #1  
207 Second Avenue SE - PO Box 269  
Jamestown, North Dakota 58402-0269  
701-252-1950 - voice  
701-251-2011 - fax



Dear Parents/Guardians:

This handbook is provided by Dietrich Bus Service, which is a guide for parents, students, and bus drivers concerning the best possible means of safe transportation for our students. In addition, it refers to the schools weapon policy, inclement weather, and discipline rules for students as it pertains to students riding on the bus. Jamestown Public Schools appreciate the cooperation of parents and students in complying with these policies.

Jamestown Public School District has a transportation agreement with Dietrich Bus Service to handle transportation of students to and from school. Patron complaints should be referred to a Dietrich Bus Service designated agent to resolve. If no resolution can be realized, the complainant may appeal to the Superintendent.

Sincerely,

Dr. Rob Lech  
Superintendent



## **Dietrich Bus Service**

1010 18<sup>th</sup> Street SW  
Jamestown, ND 58401  
(701) 252-1007 - voice  
(701) 252-1751 - fax



Dear Parents:

As the new school year begins, it is my pleasure to welcome your child/children to ride the bus. We know that for many families transportation is essential because of work demands. Dietrich Bus Service understands that the bus driver is an important person in your child/children school life. Our goal is to provide safe transportation for all students and make the bus experience a positive one.

This school year, bus drivers will assign seats to students. Often times the bus has well over 50 students on it at one time and it will be easier for the drivers to know which students are riding. Please take some time to review proper behavior and expectations in riding the bus with your child/children

We require rural families to leave storm home information with us at the time of bus registration. If you do not provide storm home information for your student, the student will be left at the school. Should inclement weather arise and we are unable to run rural buses, your child/children will be safely brought to a storm home. All weather related and school announcements are on the following radio stations: KSJB and KQDJ as well as the following television stations: KVLV and KXJB and by the District's automated parent notification calling system.

Feel free to contact me at any time if there are any questions or concerns at 701-252-1007 or email [Jamestown@dietrichbus.com](mailto:Jamestown@dietrichbus.com) Weekends or after hours please leave message on answering machine. Please note the bus garage is open daily from 6:30 A.M. to 5:00 P.M. Thanks again for your assistance and effort in making transportation safe not only for your child, but for all students!!

Sincerely,

Jeannette Grabinger  
Transportation Coordinator  
Dietrich Bus Service

## **Dietrich Bus Service & Jamestown Public Schools Transportation Services**

### **1. Reorganization Plan**

The provision of the reorganization plan shall also be followed by Dietrich Bus Service Inc. in the operation of the transportation system. Transportation from door to door will be furnished for students living in the rural area, with these provisions:

- a. There must be a reasonable, passable driveway into the farmyard of the student to be transported. Busses DO NOT back up.
- b. The farmyard must have an adequate turn-around area so the bus has easy access and return.
- c. Door to door transportation may include student pick-up from the road if the bus does not have to back out and the school patron does not desire in-the-yard pick-up.
- d. Door to door pick-up shall be defined as meaning bus pick-up in the farmyard of the student to the normal unloading area on the school grounds of the school attended.

2. The District does not guarantee an intracity transportation system. See Dietrich Bus Service Inc.'s Transportation Handbook for more information.

### **3. Non-Resident Students**

The Jamestown School District may include the transportation of non-resident students attending the Jamestown Public Schools when there is no additional cost to the School District. The Jamestown School District will claim the regular state foundation payment plus charge a fee to cover the additional cost, or charge the same rate as for students living within the city limits, whichever is the greater.

### **4. Noon Transportation**

Transportation is not provided during the noon hour for regular school programs.

## **Dietrich Bus Service & Jamestown Public Schools Transportation Guidelines**

1. The driver by North Dakota Century Code (NDCC) is responsible to ensure students appropriately behave on the bus and is entrusted by the school district to report any unacceptable behavior to Dietrich's Transportation Coordinator and/or the student's principal.

Major violations of transportation policy may lead to suspension and/or expulsion from bus riding privileges and/or from attending school at Jamestown Public Schools. Should a major suspension or expulsion be recommended, a hearing with the student, parent or guardian, and school official will be held immediately. Expulsion from school may be requested of the school board. Recommendation for expulsion will depend on the severity or frequency of the incident. An accurate record of the incident or incidents will be provided to the school board in the event expulsion is requested.

2. Jamestown Public School District #1 as a reorganized school district is required to furnish transportation services to rural public school students. The school district may at its discretion, provide transportation to city public school students, but it is not required to provide city transportation. In regards to students attending private schools; NDCC 15.1-30-15 states school districts may transport non-public school students to and from the point or points on established public school routes on such days and during the times that the public school district may authorize and agree to the transportation of such students only when there is passenger room available on such buses, according to the legal passenger capacity for such buses and as approved by Superintendent.

The school district will provide transportation to rural public school students at no cost to the family. Transportation of students will be prioritized by list:

- (1) JPS- rural,
  - (2) JPS – city
- and if space allows and approved:
- 3) JPS daycare
  - 4) private rural
  - 5) private city

Private School students must provide a school year calendar.

3. City transportation, when furnished, will be only furnished to students living 10 blocks or more from their attendance school and if they are on an established rural elementary/high school public school bus route and bus stop. Attendance areas are defined by the parent's/guardian's legal residence. However, circumstances may arise for which transportation is needed within the 10-block rule. Those situations are handled on a case by case basis.
4. Transportation may be provided to city residents if they change their attendance area during the school year. Those situations are handled on a case by case basis depending on bus capacity, class sizes, as well as if the location is on an established bus route. A waiver must be completed and approval granted for their child/children to remain in the school they presently attend.
5. Regular riders will be prioritized. Non-regular riders will be allowed as space and time provides.
6. Students requesting bus service living less than ten (10) blocks from school, and willing to walk to a regular bus stop outside the ten (10) block area from where their residence is, will be determined eligible on a case to case basis for public city transportation.
7. Special Education routes are classified as Special Routes and not regular bus routes.
8. New riders and change of address request must be completed by noon on the previous Thursday, to be eligible

to ride the bus the following Monday. This can be done at District Office, 207 2<sup>nd</sup> Avenue SE, Jamestown.

## **Dietrich Bus Service & Jamestown Public Schools Transportation Goals and Principles**

1. To provide the safest possible transportation.
2. To operate the transportation program with efficiency.
3. To maintain the bus environment such that it is safe for students and to allow the driver to do his/her job.
4. To maintain student safety rules as established by the school district.
5. To cooperatively provide and maintain pupil passenger instruction and disciplinary procedures.
6. To maintain good public relations.
7. To review and evaluate transportation on a scheduled basis.

\*\*\*\*\*

### **Bus Drivers' Responsibilities**

1. Conduct a pre-trip inspection of his/her school bus prior to every trip and daily for routes.
2. Drive with the safety of students as the first priority.
3. Instruct riders to be responsible passengers and enforce **Bus Rider Guidelines**.
4. Only authorized personnel will ride on any bus or vehicle when used for the Jamestown Public Schools. Authorized personnel are students, teachers, chaperons, and employees of the Jamestown Public Schools or employees of Dietrich's Bus Service assigned to that route or trip.
5. Operate bus on an approved time schedule.
6. Report bus accidents and pupil injuries to the authorized representative of Dietrich Bus Service, with a copy sent to the Superintendent.
7. Drive defensively under varying traffic conditions and inclement weather.
8. Maintain an accurate student list for each individual route assigned.
9. Report bus defects in writing to Dietrich's Bus Service.
10. As per Federal and State law, all students shall be treated in a fair and equitable manner and shall not be discriminated against because of race, color, gender identity, national origin, ancestry, disability, age, sex or religion. Reference Appendix B- Non Discrimination & Anti- Harassment Policy (AAC)



## Dietrich Bus Service & Jamestown Public Schools Parent Responsibilities

1. **Parents are responsible to contact the School and Dietrich's Bus Service when the family has moved and phone number change.**
2. Parents are responsible for making sure that their child/children are ready at the pick-up location by the designated time. Please be at designated pick-up location 5 minutes before bus is to arrive. Bus will not return. Bus times may change when routes are shorten or length according to riders.
3. Parents are asked to call the bus garage (701-252-1007) if their child is not riding the bus for the day, so that the bus will not lose time waiting for your child. Thanks for your cooperation. If we have not received a call and the bus has stopped 5 days in a row. We will assume you have quit using the transportation.
4. Dietrich's will pick up and drop off at one location.
5. Parents are responsible to review with their child/children proper behavior on the bus as well as the consequences of discipline procedures for not following guidelines. The discipline policy\_listed in Appendix A will be followed.
6. Parents that are notified of child's misconduct by the driver and/or bus contractor must sign a disciplinary report in order for their child to ride the bus the following day. (See Addendum - Bus Violation Report to Parents.)
7. During the winter season, all parents are required to see that their children are wearing a winter coat when they board the school bus. There is always the possibility that the bus could be stalled for a period of time. In this event, warm coats, caps, gloves and overshoes could avert serious consequences. The driver has the right to refuse pickup of student if not properly dressed.
8. Rider fees for all city students are established annually and are due and payable at the beginning of each semester unless prior arrangements have been made with the school district.

Bus fee payments may be made at the District Office located at 207 Second Avenue SE or mailed to:

Jamestown Public Schools  
ATTN: Transportation Department  
PO Box 269  
Jamestown, ND 58402-0269

Or bus fee payments may be made online through e~Funds found on our website, [Jamestown.k12.nd.us/parenttab/parent portals/e~Funds\\_](http://Jamestown.k12.nd.us/parenttab/parent%20portals/e~Funds_)



9. We ask all traffic to respect the Flashing Red Light Law and stop for the time it takes for children to cross the street and board the bus. Many parents as well as other motorists neglect this rule. **Violators will be reported to police authorities.**



## **Dietrich Bus Service & Jamestown Public Schools**

### **Bus Rider Guidelines**

1. Riding on the school bus is an extension of the regular classroom and school setting.
2. It is a privilege for students to ride the bus and not a right. The school district is not obligated to provide transportation if your child/children creates an unsafe environment for themselves, other students and the driver. Reference policy FF, Student Conduct and Discipline.
3. The bus driver is to report any student misconduct to the transportation coordinator for Dietrich Bus Service. In turn, the transportation coordinator of Dietrich Bus Service will notify the parent/guardian and building principal.
4. All bus riders are assigned a seat on the bus. Riders for their own safety shall remain seated when the bus is in motion. Students who refuse to sit in assigned seat may be subject to suspension.
5. All bus riders are to bring items that can fit on their lap. No large objects that sit in aisles that would cause hazard in an emergency. Band instruments are allowed.
6. We ask all riders to leave cell phones off during bus routes for the safety of riders and the driver.
7. Bus riders shall keep their entire bodies inside the bus due to obvious safety concerns.
8. Bus riders are asked not to push, shove, fight, punch, horseplay, etc. or use obscene or profane language while on the bus.
9. We ask all riders to review their areas before leaving the bus and deposit litter or other debris in the trash can.
10. We ask all bus riders to refrain from eating food or chewing gum, drinking of pop and other beverages while on the bus.
11. School bus riders shall not tamper with the bus seats such as writing on the seats or any of its equipment. Any cost to repair the damage to seats or the bus will be paid by the offender.
12. We ask all bus riders to keep personal items like backpacks, books, lunches, and other personal items out of the aisle to keep it free for people walking. In addition, we ask all riders to check their area for personal belongings that might be left behind inadvertently when exiting. Dietrich's will not be responsible for items left on the bus. Parents are responsible for items left on the bus.
13. Any and all articles that cause disruption or distraction are prohibited on buses. At the driver's discretion, the items can be taken by the driver. Electronic music devices are NOT permissible and use of cell phones are prohibited for taking photos or making calls. Items may need to be picked up by parents at the Dietrich Bus Garage.
14. A school bus rider shall bring no animals, firearms, explosives or anything of a dangerous or objectionable nature on the bus. (See Carrying Weapon Policy)
15. All buses stop at railroad crossings; the bus come to a complete stop, the door is opened and the driver looks and listens for an oncoming train. Conversation shall not be carried on while the bus is crossing the railroad tracks.
16. School bus riders are expected to be courteous to bus drivers, driver's assistants, patrol officers, chaperons and fellow students.





## **Bus Rider Guidelines continued**

17. The use of tobacco or tobacco products, alcohol, or controlled substances is prohibited. Reference Policy FFA, Alcohol & Other Drug Use/Abuse.
18. Drivers are responsible to know all students who are riding their bus; therefore, students are assigned to ride a specific bus. We need your cooperation to ensure students will only ride their assigned bus.
19. Non-busing students will be allowed to ride the bus ONLY IN EMERGENCY SITUATIONS. This must be approved by Dietrich Bus Service Transportation Coordinator. This is necessary as most buses are already at full capacity.
20. While waiting for the school bus, a child is expected to wait in an orderly manner, staying on the sidewalk or other approved loading area. We expect children to respect the property and rights of fellow students and homeowners as well as the public.
21. Riders are expected to board the bus in an orderly fashion, one rider per time in a single line. They are asked to proceed directly to their assigned seat and remain seated until the bus has come to a stop at the unloading destination.
22. While unloading the bus, students are expected to unload from the front to the rear in a single line, one seat at a time.
23. Students will adhere to the District Bullying Policy (ACEA)



## Reporting Bus Violation Guidelines to Students and Parents

1. First violation to the bus rider guidelines, the bus driver is asked to visit with the student regarding the bus rider guidelines if a violation occurs and suspension of bus riding privileges. The Transportation Coordinator will contact the parents/guardians by phone and send an incident report to the parent/guardian. The parent/guardian is asked to sign the report and return it to the bus driver on the following day. Parties will review the bus rider guidelines and expectations, as well as consequences of future misconduct by the student. See APPENDIX A
2. A second violation to the bus rider guidelines could bring disciplinary action and suspension of bus riding privileges, depending on the type of violation and circumstances. The Transportation Coordinator will contact the parent/guardian by phone as well as send an incident report to the parent/guardian. The parent/guardian is asked to sign the report and return it to the bus driver on the following day. The building principal will receive notification. Parties will review the bus rider guidelines and expectations, as well as consequences of future misconduct by the student.
3. A third violation to the bus rider guidelines could bring disciplinary action and suspension of bus riding privileges, depending on the type of violation and circumstances. The Transportation Coordinator will arrange a meeting with the parent/guardian and bus driver to determine if the student should be allowed to ride the bus once the suspension period is over. The building principal and the superintendent or his designee may be invited to the meeting if warranted. Continued violations will result in the student no longer being able to ride the bus.
4. Jamestown Public Schools and Dietrich Bus Service note that riding the bus is a privilege and not a right. Having students follow the bus rider guidelines is in the best interest of the driver, other students and themselves in transporting individuals safely to and from school.
5. Students suspended from riding the school bus to and from school in the morning or afternoon, may not ride the bus for any other school activities during the time the student has been suspended from riding the bus.

**Dietrich Bus Service & Jamestown Public Schools**  
**Possessing Weapons**  
**Definitions**

This policy defines the following:

- *Dangerous weapon* as defined by NDCC 62.1-01-01(1).
- *Firearm* as defined in accordance with 18 U.S.C. 921 and NDCC 62.1-01-01(3).
- *School property* is defined in NDCC 15.1-19-10(6)(b) as all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by a school district, and the site of any school-sponsored event or activity.

**Prohibitions**

Students are prohibited from possessing on school property a firearm, dangerous weapon, or any object that is used, attempted to be used, or threatened to be used to intimidate or cause bodily harm.

**Disciplinary Consequences**

Violation of this policy will result in disciplinary action up to and including suspension or expulsion. Bringing a dangerous weapon, other than a firearm, to school will require that proceedings for up to 10 days suspension and/or expulsion through the end of the current school year be initiated immediately in accordance with the district's suspension and expulsion policy.

Bringing a firearm to school will require that the District immediately suspend the student and initiate proceedings for the expulsion of the student involved for a minimum of one calendar year in accordance with the district's suspension and expulsion policy. The Superintendent may modify the length of a firearms-related expulsion to less than one calendar year on a case-by-case basis based on the following criteria:

1. The totality of the circumstances, including the severity of the incident and the degree of endangerment of other students and staff.
2. The age and grade level of the student.
3. The prior disciplinary history of the student being expelled.
4. Relevant factors that contributed to the student's decision to possess a firearm in violation of this policy.
5. The recency and severity of prior acts resulting in suspension or expulsion.
6. Whether or not the optional provision of educational services in an alternative setting is a viable alternative to modifying the duration of the expulsion.
7. Input, if any, provided by licensed professionals (psychologists, psychiatrists, counselors) as to whether or not the expelled student would place themselves or others at risk by returning to the school prior to the expiration of the expulsion period.

Any modifications of the one calendar year expulsion period must be documented in writing.

Dangerous weapons will be confiscated and may be turned over to the student's parents or to law enforcement officials at the discretion of the administration. Firearms will be confiscated and turned over to law enforcement.

The District must refer any student who brings a firearm on school property to the criminal justice or juvenile delinquency system.

### **Special Education Students**

A student who is defined as having a disability under the Individuals with Disabilities Education Act (IDEA) who has brought a firearm or dangerous weapon to school shall be handled in accordance with IDEA regulations. The District shall make manifestation determinations, disciplinary decisions, referral decisions, and placement decisions of such students in accordance with IDEA regulations.

### **Non-applicable Provisions**

This policy does not apply to students enrolled and participating in a school-sponsored shooting sport, provided that the student informs the school principal of the student's participation, and the student complies with all requirements set by the principal regarding the safe handling and storage of the firearm. The principal may allow authorized persons to display dangerous weapons or look-a-likes for educational purposes. Such an approved display will be exempt from this policy.

A student who finds a firearm or dangerous weapon on the way to school, on or in school property, or discovers that they unknowingly have a firearm or dangerous weapon in their possession may not be considered to possess it if they immediately turn it over to an administrator, teacher or head coach or notify an administrator, teacher, or head coach of its location.

### **Reporting**

The District shall annually report compliance with all state expulsion requirements to the Department of Public Instruction. Each incident in which a student is found to have brought a firearm on school property must be reported as an infraction, even if the Superintendent elects to modify the required expulsion period or impose no penalty. Any incidents in which a student covered by the provisions of the IDEA brings a firearm or dangerous weapon on school property must also be included, even if it is determined that the incident is a manifestation of the student's disability and that the penalties should be modified or not imposed. Any modification of the one-year expulsion requirement must also be reported.



## Inclement Weather

1. The decision as to whether buses will run during inclement weather is a joint decision between Dietrich Bus Service and Jamestown Public Schools. Any changes to the daily schedule will be communicated through school channels such as school notification system and/or media.
2. In those cases where a school bus student lives some distance from the pick-up point, drivers will not release the child during stormy weather unless a parent or some other adult is there to meet the student. In those cases where the student is not released, the driver will take the child back to town and deliver the student to Rabehl Transportation Center and Dietrich Bus Service will assume the responsibility of notifying parents so that appropriate arrangements can be made. The Transportation Center is located at 1010 18th Street Southwest and the phone number is 701-252-1007.
3. Each day that the school buses leave for their return trip under unfavorable conditions, Dietrich's Bus Service will track each vehicle by using the two-way radio system or by calling the different homes along the route to determine whether or not the children have been brought home. By this means, the approximate location of each bus can be quite well established at any given time. Then in addition, drivers have been directed to call Dietrich's Transportation Coordinator whenever possible to notify us of any difficulties that would cause a change in the time schedule. Parents could help us in this matter by calling the Transportation Coordinator of Dietrich's Bus Service at the Bus Garage at 701-252-1007 whenever their children have not arrived home within a reasonable period of time beyond the usual time of arrival.
4. In the event that a loaded bus is stalled in cold or stormy weather, we believe the Students should be kept on the bus. We will not make this a hard and fast policy because some discretion must be left to the bus drivers, and the distance from the stalled bus to shelter should be considered. Under most conditions, however, we feel strongly that passengers should remain in the bus and await rescue.
5. Parents are expected to use their own judgment as to whether or not the weather is suitable for their own child to make the journey to school on any particular day. If school is in session, and it is the judgment of the parent that their children should remain at home, that judgment will be respected by the school. However, an admit slip signed by the parent stating the reason for absence must be submitted in order for the student to make up his work. There will be no penalty incurred as a result of the parent exercising this judgment. If, in the considered opinion of the district administration, the majority of children in Jamestown can safely travel to school, the school will remain open. **Parental judgment cannot be over-emphasized in this matter.**
6. School buses may continue to operate during tornado watches, but not during warnings. If a tornado should strike while the bus is in route, drivers will obtain shelter if time permits.
7. If roads are blocked or closed, Dietrich's Bus Service may require students to be brought to a safe location to ride the bus and when returning home.

### Special Education: Storm Policy- Please listen to the radio and if

- City buses and school running late there will be NO AM Preschool.
- Busses are not running at all due to weather there will be NO AM or PM Preschool.
- Any questions please feel free to call me at 701-252-3846, Ms. Sara Haufschild.

## APPENDIX A

### BUS DISCIPLINE – DISCIPLINARY ACTIONS

The following proposals have been drawn up concerning the disciplinary actions of students involved in discipline problems on school buses. **The punishments stated constitute the possible penalty in each case.** More severe punishments may be administered at the discretion of the administrator involved. Other bus regulations, not specifically covered, may be governed by the minimum penalty of the category in which they are placed. Following are the disciplinary guidelines for students/riders on the bus.

- A Throwing items that may result in injury
  - 1st offense - 3 days off bus
  - 2nd offense - 5 days off bus
  - 3rd offense - 10 days off bus
- B Refusal to sit in assigned seat
  - 1st offense - 3 days off bus
  - 2nd offense - 5 days off bus
  - 3rd offense - 10 days off bus
- C Insubordination
  - 1st offense - 3 days off bus
  - 2nd offense - 5 days off bus
  - 3rd offense - 10 days off bus
- D Possession/use of tobacco products also includes any electronic smoking device.
  - 1st offense - 5 days off bus
  - i) \*2nd offense - Remainder of school year
- E Fighting on bus
  - 1st offense - 5 to 10 days off bus
  - 2nd offense - Remainder of school year
- F Abusiveness to driver. (Verbally or physically)
  - 1st offense - 5 to 10 days off bus
  - 2nd offense - Remainder of school year
- G Obscene language and/or gestures
  - each offense - 3 to 10 days off bus
- H Having body parts and/or other items out of windows
  - each offense - 3 days off bus
- I Destruction of school bus
  - 1st offense - 5 to 10 days plus damages assessed
  - 2nd offense - Remainder of school year plus damages assessed
- J Excessive noise/mischief which might interfere with the driver's concentration or ability to hear emergency vehicles
  - Each offense - 3-5 days off bus
- K Unacceptable items on bus (Razor, Knife, lighters, matches, etc.)
  - Each offense - 3 days off bus
- L Multiple violations of any or all of the above
  - Remainder of school year

If a student is suspended from one school bus, he/she is suspended from all other buses as well. **A school bus suspension is not an excuse from school.** Students will be expected to be at school each day of their bus suspension.

## **APPENDIX B**

### **NONDISCRIMINATION AND ANTI-HARASSMENT POLICY**

#### **General Prohibitions**

The Jamestown Public 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 regard 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 may 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-BR1. 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 Superintendent to develop discrimination and harassment awareness training for students and employees. In addition, the Superintendent 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 responsibilities 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 individual or office or if the investigation will be conducted by another individual or office.

The Board designates Kristi Grounds as the Title IX Coordinator. They may be contacted at 207 2 Ave SE, Jamestown, ND 58401, 701-252-1950 or Kristi.Grounds@k12.nd.us. Districts must notify applicants for

admission and employment, students, parents or legal guardians, employees and unions of the name and specified contact information for the designated Title IX Coordinator(s). The notification must also state that inquiries about the application of Title IX and its regulations may be directed to the district's Title IX Coordinator or the Assistant Secretary of Education, or both. Districts must prominently display the Title IX Coordinator(s) contact information on their website, if any, and in each handbook it makes available to applicants, students, parents or legal guardians, employees and unions. Any person may report sex discrimination, including sexual harassment, at any time (including during non-business hours).

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 Heidi Budeau, Special Education Director as the 504/Title II Coordinator. They may be contacted at 207 2 Ave SE, Jamestown, ND 58401, 701-252-3376 or [Heidi.Budeau@k12.nd.us](mailto:Heidi.Budeau@k12.nd.us)

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 Superintendent, Robert Lech as the Nondiscrimination Coordinator. They may be contacted at 207 2 Ave SE, Jamestown, ND 58401, 701-252-1950 or [Robert.Lech@K12.nd.us](mailto:Robert.Lech@K12.nd.us)

### **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:

8. The definition of discrimination, harassment, and retaliation;
9. The handling of complaints under the Discrimination and Harassment Grievance Procedure (AAC-BR1); and
10. The applicability of confidentiality requirements.

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

**Dietrich Bus Service & Jamestown Public Schools**  
**Bus Incident Report Form**

<b>DIETRICH BUS SERVICE</b> 1010 18 <sup>th</sup> Street SW Jamestown ND 58402 701-252-1007	Bus Number: _____ Bus Driver: _____ Date of Incident: _____ Time of Incident: _____ Student's Name: _____ School: _____
--	---

**NOTICE TO PARENT/GUARDIAN**

- The purpose of this written report is to inform you that your child violated bus rider guidelines outlined in our transportation handbook and notes what the infraction. Our goal is to provide safe transportation for your child and all other riders as well.
- Students may also face some disciplinary action from his/her school up to, and including suspension or expulsion from school for serious infractions. Riding the bus is a privilege and not a right for your child.
- Please contact the Transportation Coordinator of Dietrich Bus Service at 701-252-1007 for additional information.

**BUS DRIVER'S REPORT**

<input type="checkbox"/> violation of safety procedures <input type="checkbox"/> destruction of school bus property	<input type="checkbox"/> shoving, pushing, horseplay, etc. <input type="checkbox"/> possessing unsafe objects/items	<input type="checkbox"/> eating, drinking, littering, etc. <input type="checkbox"/> unacceptable language/behavior
--	--	---

COMMENTS: \_\_\_\_\_

\_\_\_\_\_

**ACTION TAKEN BY DIETRICH BUS SERVICE**

- ☐ Visited with the student regarding the bus rider guidelines and proper behavior on the bus.
- ☐ Telephoned parent/guardian. Visited with mother/father at \_\_\_\_\_ AM/PM on \_\_\_\_\_.
- ☐ Telephoned parent/guardian. Left a message for mother/father at \_\_\_\_\_ AM/PM on \_\_\_\_\_.
- ☐ The student can continue to ride the bus, however, they are placed on probation because of their actions on the bus.
- ☐ The student is unable to ride the bus until \_\_\_\_\_ because of not following the bus rider guidelines.
- ☐ The student is unable to ride the bus until a conference is held with parent/guardian, bus driver, and transportation coordinator to review the student's behavior while riding on the bus and to determine if suspension of bus riding privileges should occur.

***\*\* This note must be signed and returned to the bus driver in order for the student to continue to ride the bus. \*\****

Parent's/Guardian's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Driver's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Transportation Coordinator's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Parent's/Guardian's Copy – White	Office Copy – Yellow	School Copy - Pink
----------------------------------	----------------------	--------------------

## **North Dakota Transportation Guide for Students in Foster Care under the Every Student Succeeds Act 2015**

The Every Students Succeeds Act (ESSA) of 2015 requires districts to work closely with Child Welfare Agencies (CWAs) to tailor transportation processes and procedures to their unique local contexts. Local Education Agencies (LEAs) and CWAs must collaboratively establish procedures which facilitate immediate transportation needed to ensure educational stability for students in foster care.

### **Under ESSA, transportation procedures for children in foster care must:**

- ❖ Ensure that children in foster care needing transportation to the school of origin will receive cost-effective transportation in accordance with CWA's authority to use child welfare funding for school of origin transportation.
- ❖ Ensure that, if there are additional costs incurred in providing transportation to the school of origin, the LEA will provide transportation when the following negotiations take place:
  - The local CWA office agrees to reimburse the LEA for the cost of such transportation;
  - The LEA and local CWA agree to share the cost;
  - The LEA agrees to pay for the cost of such transportation;
  - The school of origin, local CWA, school of residence and/or placing CWA share costs.

**\*Development of the transportation plan should include both districts LEA's and CWA's point of contacts (POC).**

### **\* In the event of a transportation dispute:**

Local transportation plans should include a dispute resolution process to address how the transportation requirement will be met if parties cannot come to an agreement. LEAs must ensure that a child in foster care remains in the school of origin while any disputes regarding transportation costs are being resolved. ESEA 1111(g)(1)(E)(i) and 1112 © (5)(B)(i).

**To inquire or apply contact Mrs. Jada Anderson at Roosevelt Elementary, 615 6<sup>th</sup> Avenue SE, Jamestown, ND or 701-252-1679.**