

# **Gayville-Volin School District**

## **School Board Policy Manual**

**Revised: 06/12**

**Final Adoption: 0/0/12**

# CONTENTS

## **SERIES**

100	Philosophy and Goals
200	Board of Education
300	Administration
400	Staff Personnel
500	Student Policies
600	Instruction Policies
700	Financial Policies
800	Support Policies
900	Community Policies

# **PHILOSOPHY AND GOALS**

## **Series 100**

### **100 PHILOSOPHY AND GOALS**

- 100.1 Official School Name
- 100.2 School District Goals
- 100.3 Mission Statement

## **PHILOSOPHY AND GOALS - Series 100**

### **OFFICIAL SCHOOL NAME – 100.1**

The United States Constitution allows the individual states responsibility for public education.

In South Dakota, the legislature is charged by the Constitution “to establish and maintain a general and uniform system of public schools which is open to all children and free from sectarian control.”

The Constitution outlines the responsibilities of the state. The State Board of Education is responsible for the adoption of all policies for the government of the Division of Elementary and Secondary Education, and for the adoption and implementation of regulations for supervising the elementary and secondary schools.

School districts exist for the purpose of operating a school or schools to provide the people of each local community adequate opportunity to avail them of a free public elementary and secondary education program.

The official name shall be established by law Gayville-Volin School District No. 63-1, in the counties of Yankton and Clay, in the state of South Dakota.

LEGAL REF:           United States Constitution, Tenth Amendment  
                          Constitution of the State of South Dakota, Art. VIII, sec. 1;  
                          Art. XXII; Art. XXVI, sec. 18  
                          SDCL 3-6-2  
                          13-5-1  
                          13-5-2  
                          13-5-14 through 13-5-29  
                          13-6-1 et seq.

## **PHILOSOPHY AND GOALS – Series 100**

### **SCHOOL DISTRICT GOALS – 100.2**

The goal of this school district is to accept responsibility for the development of each child into a citizen who can stand confidently, participate fully, learn continually and contribute meaningfully to our world.

Six objectives that contribute to the achievement of this goal, listed without priority in arrangement, define desirable outcomes to be incorporated into plans for the school system.

- 1) To ensure that each student develops proficiency in basic academic skills.
- 2) To ensure that each student develops the capacity to recognize and cope with the problems of an unknown future.
- 3) To ensure the development of meaningful interpersonal relationships among students, staff, and community.
- 4) To ensure that staff, students, and parents are afforded maximum feasible participation in the development and evaluation of programs and policies that meet the educational needs of each community.
- 5) To ensure maximum efficiency in the allocation of material resources.
- 6) To ensure maximum efficiency in the allocation of human resources.

## **PHILOSOPHY AND GOALS – Series 100**

### **MISSION STATEMENT - 100.3**

**To empower all students to enter the global community as productive citizens**

### **BELIEF STATEMENT**

#### **About students and learning:**

- All students can learn and succeed
- Student learning is greatly enhanced by a cooperative effort between home and school, both providing a supportive and positive environment
- All students have individual differences and abilities which need to be considered, respected, and addressed in the school environment to maximize growth
- Students will be able to apply what they learn to make decisions effectively and be responsible for their actions
- Students will be able to work independently, as well as in cooperative groups
- All students will become responsible members of society

#### **About Teachers and Teaching:**

- Teachers are professionals who are committed to ongoing professional growth and life-long learning
- Teachers are aware of individual and group needs and will offer a variety of teaching methods to meet all learning styles
- Teaching and learning are ongoing processes, not end results
- Teachers are tools to success, not answers to success
- Teachers are the communication bridge joining school and home
- Teachers will be appropriate role models
- Teachers will provide quality educational opportunities to maximize student potential
- Teachers will respect all students as individuals

## **PHILOSOPHY AND GOALS – Series 100**

### **MISSION STATEMENT – 100.3**

#### **About Schools and the School District**

- Learning is the responsibility of the student while the educational process is the responsibility of the parents, the school and the community
- The school will be structured to enable students to achieve their potential, become responsible for their behavior and become life-long learners
- The school district will continue to improve planning and decision-making through a team effort involving school and communities to establish programs, curriculum, budget, and plans which affect all children
- The school district will provide all students with the tools to communicate effectively in the global community
- The school district will provide all students with the opportunity to achieve at their individual ability levels
- The school district will provide adequate facilities, media, equipment, technology, support staff, and instructors for all educational programs
- The school district will offer general core classes and a balance of vocational and college-prep classes

# **BOARD OF EDUCATION**

## **Series 200**

### **200 GENERAL POLICIES**

- 200.1 General Organization
- 200.2 Elections
- 200.3 Polling Place
- 200.4 Vacancies
- 200.5 Unexpired Vacancies

### **201 SPECIFIC DUTIES OF THE BOARD**

- 201.1 School Board Powers and Duties
- 201.2 School Board Member Ethics
- 201.3 Board Member Oath of Office
- 201.4 Board Officers
- 201.5 Board Member Conflict of Interest

### **202 PROCEDURES OF OPERATION**

- 202.1 Board Policy Development
- 202.2 Policy Adoption
- 202.3 Policy Dissemination
- 202.4 School Board Memberships
- 202.5 School Attorney
- 202.6 Board Committees and Advisory Committees
- 202.7 Advisory Committees to the Board

### **203 MEETINGS**

- 203.1 School Board Meetings
- 203.2 Executive Sessions
- 203.3 Annual Meeting
- 203.4 Quorum
- 203.5 Board Meeting Procedures and Guidelines
- 203.6 Minutes
- 203.7 Meeting Agenda
- 203.8 Voting Method

### **204 MISCELLANEOUS**

- 204.1 Board Member Compensation and Expenses
- 204.2 Administration in Policy Absence



## **BOARD OF EDUCATION/ GENERAL POLICES – Series 200**

### **GENERAL ORGANIZATION – 200.1**

The School Board derives its authority from the Constitution of the State of South Dakota, from the act of the State Legislature, the electorate of the district and the regulations of the State board of Education and State Board of Vocational Education.

As expressed in the law, the board is the governing board of a school district, and is created “...for the purpose of organizing, maintaining, and locating schools and for providing educational opportunities and services for all citizens residing within the school district.”

The board will consist of 5 members elected at large by the registered voters of the district. Except as otherwise provided by law, Board members will hold office terms of three years.

Established by law

LEGAL REF:           SDCL 13-6-2 ET seq.  
                              13-6-13.1  
                              13-8-1 through 13-8-5

ADOPTED 2-11-98  
Revised 7-9-01  
Revised 12/12/2011

## **BOARD OF EDUCATION/ GENERAL POLICES – Series 200**

### **SCHOOL BOARD ELECTIONS – 200.2**

As established by law, members of the Board are elected at large at the annual election held on the second Tuesday in April. School Board members are elected for three-year terms.

Nominating petitions can be filed no earlier than the date specified in SDCL 13-7-10.2 and no later than the date specified in SDCL 13-7-10.2 and SDCL 13-7-7. These dates are published two consecutive weeks in the districts official newspaper. The nominating petition must contain the names of at least 20 electors of the district, not including candidates.

Established by law

LEGAL REF: Constitution of the State of South Dakota, ART. VII, Secs. 1-1  
SDCL 12-14-1.1  
12-15-1  
13-6-13.1  
13-7-4 through 13-7-19  
13-8-2  
13-8-4  
13-8-6  
13-8-7.1  
13-8-25

**BOARD OF EDUCATION/ GENERAL POLICES – Series 200**

POLLING PLACE – 200.3

The polling place for school district residents who live in Gayville, Volin or the rural areas in the school district will be at the Gayville-Volin School.

LEGAL REF:           13-7-11

## **BOARD OF EDUCATION/ GENERAL POLICES – Series 200**

VACANCIES: BOARD MEMBER RESIGNATION / REMOVAL FROM OFFICE – 200.4

According to the provisions of state law, a vacancy occurs on the School Board when an incumbent:

- 1) Dies
- 2) Is removed from office
- 3) Fails to qualify as provided by law
- 4) Ceases to be a voting resident of the district where elected
- 5) Is convicted of a felony or any offense involving a violation of the official oath of office
- 6) Has a judgment obtained against him for breach of official bond
- 7) Becomes incapacitated to attend to the duties of a board member
- 8) Assumes the duties of an office incompatible with the duties of a school board member
- 9) Resigns

A board member's resignation will not be effective until a successor is appointed and qualified as prescribed by law. The resigning member will continue to serve in his/her official capacity as a Board member until that time.

Established by law

LEGAL REF:            Constitution of the State of South Dakota, Art. XVI, Secs.4-8  
                             SDCL 3-17-6 through 3-17-11  
                             13-8-22 through 13-8-24

## **BOARD OF EDUCATION/ GENERAL POLICES – Series 200**

### **VACANCIES: UNEXPIRED TERM FULFILLMENT – 200.5**

When a vacancy occurs on the Board for a reason allowed by law, the remaining Board Members are responsible for the appointment of a new Board member.

The new appointee will qualify as if elected, at or before the next School Board Meeting. He/she will serve until the next succeeding election, at which time a successor will be elected to serve the unexpired term.

Established by law

LEGAL REF:           SDCL 3-13-1 through 3-14-4  
                              13-8-25  
                              13-8-44

**BOARD OF EDUCATION/ GENERAL POLICES – Series 200**

APPLICATION FOR BOARD OF EDUCATION MEMBERSHIP  
Unexpired Term Fulfillment

Applicant's Name \_\_\_\_\_

Present Address \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Telephone Number ( ) \_\_\_\_\_

When available for a personal interview? \_\_\_\_\_

\_\_\_\_\_

Community/school activities in which you have been involved and dates:

\_\_\_\_\_

\_\_\_\_\_

Reason you want to serve on the Board:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

List contributions you could make towards improving education as a member of the School Board:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## **BOARD OF EDUCATION/ GENERAL POLICES – Series 200**

### **VACANCIES: UNEXPIRED TERM FULFILLMENT PROCEDURE – 200.5**

Appointments to an unexpired term will be made by the board as follows:

- 1) An announcement of the vacancy will be published in the official newspaper.
- 2) The announcements will invite individuals to submit applications or nominations to the Board by a date set by the Board. An application form may be obtained at the school business office.
- 3) The Board will meet in executive session to discuss qualifications, interests, attitudes, and goals of the potential candidate.
- 4) The board will interview potential appointees in executive session.
- 5) The appointment of the new member will be made by a majority of the board members at an open meeting.

Action on the appointment will be included on the published agenda for the meeting.

## **BOARD OF EDUCATION/ SPECIFIC DUTIES – Series 200**

### **SCHOOL BOARD POWERS AND DUTIES – 201.1**

Under the laws of South Dakota, the School Board acts as the governing body of the public school with full powers of direction and control. The Board derives its authority from the state legislature and will function within the framework of state and federal laws and regulations, court decisions and attorney general opinions.

Recognizing the authority of the state, the Board considers the following its general functions:

- 1) To select and employ a Superintendent of the district and support him/her in the discharge of his/her responsibilities.
- 2) To formulate and enact policies and to delegate the application of policies to the Superintendent and his/her staff, who will be held responsible for the effective administration and supervision of the entire school.
- 3) To provide for the planning, financing, expanding, improving, constructing and maintaining the physical plant of the district.
- 4) To establish procedure and hire appropriate personnel to maintain records, accounts, archives, management methods and procedures of school business.
- 5) To approve the budget, financial reports, audits, major expenditures, payment of obligations and policies that enable the administration to formulate a plan of business.
- 6) To levy taxes for the operation, support, maintenance and improvement of the school district.
- 7) To adopt courses of study, and provide instructional materials.
- 8) To employ support and certified personnel, and provide for fair and equitable compensation.
- 9) To evaluate the educational program for effectiveness in achieving the educational purpose of the district.
- 10) To provide and maintain open lines of communication with the community.



## **BOARD OF EDUCATION/ SPECIFIC DUTIES – Series 200**

### **SCHOOL BOARD MEMBER ETHICS – 201.2**

AS A SCHOOL BOARD MEMBER:

I will listen.

I will respect the opinion of others.

I will recognize the integrity of my predecessors and associates and the merit of their work.

I will be motivated only by an earnest desire to serve my district and the children of my community in the best possible way.

I will not use the schools or any part of the school program for my own personal advantage or for the advantage of my friends or supporters.

I will vote for a closed session of the board if the situation requires it, but I will consider “star chamber” or “secret” sessions of board members unethical.

I will recognize that to promise in advance of a meeting how I will vote on any proposition which is to be considered, is to close my mind and agree not to think through other facts and points of view which may be presented in the meeting.

I will expect, in board meetings, to spend more time on educational programs and procedures than on business details.

I will recognize that authority rests with the board in legal session, and not with individual members of the board, except as authorized by law.

I will make no disparaging remarks, in or out of the board meeting, about other members of the board or their opinions. I will express my honest and most thoughtful opinions frankly, in board meetings, in an effort to have all decisions made for the best interests of the children and the schools.

## **BOARD OF EDUCATION/ SPECIFIC DUTIES – Series 200**

### **SCHOOL BOARD MEMBER ETHICS – 201.2/P2**

I will encourage that all members of the board participate fully in board action, and recommend that when special committees are appointed, they serve only in an investigating and advisory capacity.

I will abide by majority decisions of the board.

I will carefully consider petitions, resolutions, and complaints, and will act upon them in the best interests of the school.

I will not discuss the confidential business of the board in my home, on the street, or in my office; the place for such discussion being the school board meeting.

I will endeavor to keep informed on all local, state, and national educational developments of significance so that I may become a better school board member.

#### **IN MEETING MY RESPONSIBILITY TO MY COMMUNITY:**

I will consider myself a trustee of public education and will do my best to protect it, conserve it, and advance it, giving to the children of my community the educational facilities that are as complete and adequate as it is possible to provide.

I will consider it an important responsibility of the board to interpret the needs and attitudes of the community and do my best to translate them into the educational program of the schools.

I will attempt to procure adequate financial support for the schools.

I will represent the entire district rather than individual electors, patrons, or groups.

I will not regard the schools as my own private property, but as the property of the people.

## **BOARD OF EDUCATION/ SPECIFIC DUTIES – Series 200**

### **SCHOOL BOARD MEMBER ETHICS – 201.2/P3**

#### **IN MY RELATIONSHIP WITH THE SUPERINTENDENT AND STAFF:**

I will function, in meeting the legal responsibility that is mine, as a part of a legislative, policy-forming body, not as an administrative officer.

I will recognize that it is my responsibility, together with that of my fellow board members, to see that the schools are properly run ---- not to run them myself.

I will expect the schools to be administered by the best-trained technical and professional people it is possible to procure.

I will recognize the Superintendent as executive officer of the Board.

I will work through the administrative employees of the Board, not over or around them.

I will expect the Superintendent to keep the School Board adequately informed through oral and written reports.

I will vote to employ personnel only after the recommendation of the Superintendent has been received.

I will insist that contracts be equally binding on the teacher and the School Board.

I will give the Superintendent friendly counsel and advice.

I will maintain and follow the chain of command when dealing with employee concerns.

I will refer complaints to the proper administrative officer.

#### **IN COOPERATION WITH OTHER SCHOOL BOARDS:**

I will not help to employ a Superintendent, principal or teacher who is already under contract with another school without first securing assurance from the proper authority that the person can be released from contract.

I will consider it unethical to bid for the services of a teacher or pursue any procedure calculated to embarrass a neighboring board or Superintendent.

## **BOARD OF EDUCATION/ SPECIFIC DUTIES – Series 200**

### **SCHOOL BOARD MEMBER ETHICS – 201.2/P4**

I will not recommend a teacher for a position in another school unless I would employ said teacher under similar circumstances.

I will answer all inquiries about the standing and ability of a teacher to the best of my knowledge and judgment, with complete frankness, being careful neither to over-praise nor to be unduly critical.

I will associate myself with School Board Members of other districts, both personally and in conferences, for the purpose of discussing school problems and cooperating in the improvement of public school conditions.

## **BOARD OF EDUCATION/ SPECIFIC DUTIES – Series 200**

### **BOARD MEMBER OATH OF OFFICE – 201.3**

Before taking office, all Board Members will take an oath of office as required by law. Newly elected members will take and subscribe to the oath on the second Monday in July at the annual meeting, at which time they also assume their duties of office. Appointed members will take and subscribe the oath at the meeting following their appointment. All oaths will be filed in the office of the business manager.

Established by law.

LEGAL REF:           Constitution of the State of South Dakota, Article XXI, Sec. 3  
                          SDCL 3-1-5  
                                  3-1-8  
                                  13-8-14  
                                  13-8-15

### **BOARD MEMBER OATH OF OFFICE**

Do you solemnly swear, or affirm, that you will support the Constitution of the United States and the Constitution of the State of South Dakota; and that you will faithfully and impartially perform your duties as a member of the school board of Gayville-Volin School District, Yankton/Clay County, South Dakota, to the best of your ability, and in accordance with the laws now in effect and hereafter to be enacted, during your continuance in said office, and until your successor is elected and qualified? (The answer is: "I do.")

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Board Member's Signature

## **BOARD OF EDUCATION/ SPECIFIC DUTIES – Series 200**

### **BOARD OFFICERS – 201.4**

#### President

The president will preside at all meetings of the Board and will perform other duties as directed by law, state regulations and by this Board. In carrying out these responsibilities the president will:

- 1) Countersign all orders drawn by the business manager for claims approved by the Board.
- 2) Appoint or provide for the election of all committees, of which he/she will be an ex-official member.
- 3) Confer with the Superintendent as may be necessary and desirable on school or related matters.
- 4) Call special meetings of the Board.
- 5) Be entitled to vote and discuss on all matters before the Board.
- 6) Perform such other duties as may be prescribed by the Board.

#### Vice-President

The vice-president of the Board will assume the duties and responsibilities of the president in his/her absence. He/she will also perform such other duties as may be assigned by the Board.

LEGAL REF:           SDCL 13-8-10  
                              13-8-26

## **BOARD OF EDUCATION/ SPECIFIC DUTIES – Series 200**

### **BOARD MEMBER CONFLICT OF INTERESTS – 201.5**

The Board and individual members will follow the letter and spirit of the law regarding conflicts of interest. As public officials holding the respect and trust of the community, Board Members will not use the office to personal advantage.

A Board Member will not have direct monetary interest in a contract with the school district; nor furnish directly any labor, equipment or supplies to the district; nor be employed for pay as a teacher or substitute teacher in the same school district in which he is a board member.

Exceptions to the above involve contracts of less than that amount required by law or if no other source of supply is available within the school district and the amount paid is reasonable.

#### Nepotism

The Board will not employ any teacher or other employee who is a relative or spouse of any Board Member, except by unanimous vote of the Board.

Established by law

LEGAL REF:           Constitution of the State of South Dakota,  
                              Art. III, sec. 23; Art. VIII, sec. 17  
                              SDCL 3-16-1  
                                  3-16-2  
                                  6-1-2  
                                  13-7-3  
                                  13-20-2.1  
                                  13-21-7  
                                  13-43-2

## **BOARD OF EDUCATION/PROCEDURES OF OPERATION - Series 200**

### **BOARD POLICY DEVELOPMENT – 202.1**

The policies of the Board of Education may be rescinded, changed or amended by resolution (203.2) adopted at any regular meeting.

To keep written policies up to date, the Board will review its policies on a continuing basis.



## **BOARD OF EDUCATION/PROCEDURES OF OPERATION - Series 200**

### **POLICY ADOPTION – 202.2**

Adoption of new policies or changing existing policies is solely the responsibility of the Board. Policies will be adopted and/or amended only by a majority vote of the Board when such action has been scheduled on the agenda of a regular or special meeting.

The proposed policies or amendments will be presented to the Board in the following sequence:

- 1) Information item—distribution with agenda (1<sup>st</sup> Reading)
- 2) Discussion item—first reading of proposed policy or policies; response from Superintendent; report from any Board or advisory committee assigned responsibility in the area; Board discussion and directions for any redrafting. (2<sup>nd</sup> Reading)
- 3) Action item—discussion, adoption or rejection. (Third/Final Reading)

Amendments to the policy at the action stage (3<sup>rd</sup> Reading) will not require a repeat of the first and second reading.

In emergency conditions, the Board may dispense with the above sequence to meet emergency conditions.

Policies will be effective upon adoption by the Board. Once adopted, policies of the Board will be made available to the community, staff and students.

The Board will re-adopt its collection of written policies annually at the organizational meeting.

LEGAL REF: ARSD 24:03:04:08

## **BOARD OF EDUCATION/PROCEDURES OF OPERATION - Series 200**

### **POLICY DISSEMINATION – 202.3**

The Superintendent is responsible for making policies accessible to all members of the Board and all persons in the district in so far as conveniently possible.

The Board's policy manual will be considered a public record and will be open for inspection at the business office during regular school office hours.

## **BOARD OF EDUCATION/PROCEDURES OF OPERATION - Series 200**

### **SCHOOL BOARD MEMBERSHIPS – 202.4**

The Board will maintain membership in the Associated School Boards of South Dakota and in other state, regional and national educational organizations. These institutional memberships will require the Superintendent's recommendation and Board approval.

LEGAL REF:           SDCL 13-8-10.1

**BOARD OF EDUCATION/PROCEDURES OF OPERATION - Series 200**

SCHOOL ATTORNEY – 202.5

The Board of Education shall designate the Superintendent to obtain legal counsel when necessary.

## **BOARD OF EDUCATION/PROCEDURES OF OPERATION - Series 200**

### **BOARD COMMITTEES AND ADVISORY COMMITTEES – 202.6**

The Board may authorize the establishment of committees from among its membership as it finds it necessary to study operations in specific areas and to make recommendations for Board action.

The Board president and the Superintendent will serve as ex-officio members of all committees.

The functions of committees will ordinarily be fact-finding, deliberative and advisory, and their reports will be made to the Board for discussion and action. Board Committees are as follows: Finance & Insurance, Building & Grounds, Negotiations, Employee Relations, Daycare and Transportation.

LEGAL REF:           SDCL 13-8-26

## **BOARD OF EDUCATION/PROCEDURES OF OPERATION - Series 200**

### **ADVISORY COMMITTEES TO THE BOARD – 202.7**

The Board will, when appropriate, appoint a citizens' committee(s) to counsel and assist the district in planning programs and projects.

The following policies will govern the appointment and functioning of citizens committees:

- 1) The composition of a citizens committee will be broadly representative and will take into consideration the assigned, specific tasks. Members of the professional staff may be appointed to such committees as members or consultants.
- 2) All appointments will be made by the Board.
- 3) Each committee will be instructed regarding:
  - a) The length of time each member is asked to serve.
  - b) The extent and limitations of its responsibility.
  - c) The resources the Board will provide.
  - d) The dates in which the committee will report back to the board.
  - e) Responsibilities for the release of information.
- 4) Recommendations of citizens committees will be based on research and fact.
- 5) All recommendations of a citizens committee must be submitted to the Board for official action.

The Board will have the power to dissolve any advisory committees and will reserve the right to exercise this power at any time during the life of any committee.

# **BOARD OF EDUCATION/MEETINGS - Series 200**

## **SCHOOL BOARD MEETINGS – 203.1**

### **Regular Meetings**

All regular School Board meetings will be held on the second Monday of each month, unless otherwise designated at the annual organizational meeting of the Board. The time and place for all regular meetings will be set at the organizational meeting. Public Notice shall be given by posting the proposed agenda in the business office at least twenty-four hours prior to the meeting.

### **Special Meetings**

Special meetings may be called by the president of the Board, or in his/her absence the vice-president, or a majority of the Board members. Notice stating the time and place of any special meeting, and the purpose for its call, will be given to each Board Member with sufficient time to allow each member's presence. No business other than that stated in the notice will be transacted at a special meeting. Local news media that have requested notice will be notified of the special meeting prior to the meeting. The twenty-four hour notice for special meetings shall be complied with when circumstances permit.

### **Telephone Conference Call**

Meetings, including executive meetings, may be conducted by telephone conference call. Members shall be deemed present if they answer present to the roll call taken over the phone. No conference call can be used to conduct hearings in violation of state law.

All regular and special meetings of the Board are open to the public.

LEGAL REF:           SDCL 1-25-1  
                              1-25-1.2  
                              1-26-4  
                              1-26-8  
                              1-27-1.16

## **BOARD OF EDUCATION/MEETINGS - Series 200**

### **EXECUTIVE SESSIONS – 203.2**

Educational matters should be discussed and decisions made, at public meetings of the Board to fulfill the rationale for the creation of public governing bodies.

Some educational matters are more properly discussed by the Board in private session. As permitted by law, an executive or closed meeting may be held for the sole purposes of:

- 1) Discussing the qualification, competence, performance, character or fitness of any public officer or employee or prospective public officer or employee. The term “employee” does not include any independent contractor;
- 2) Discussing the expulsion, suspension, discipline, assignment of or the educational program of a student;
- 3) Consulting with legal counsel or reviewing communications from legal counsel about proposed or pending litigation or contractual matters;
- 4) Preparing for contract negotiations or negotiating with employees or by employee representatives;
- 5) Discussing marketing or pricing strategies by a board or commission of a business owned by the state or any of its political subdivisions, when public discussion may be harmful to the competitive position of the business. All discussions will be considered confidential, but all official actions concerning the matters discussed will be made only at an open official meeting.

By the very nature of the matter discussed in closed/executive session, the matters discussed shall be kept confidential by the Board and individual Board members (and the administration, as agents of the Board) unless and until allowed to be disclosed publicly by the individual(s) to whom the discussion relates or unless and until authorized or required by law.

It is therefore the policy of the Board that the Board and Board members shall respect the right of privacy of District employees and students, and neither the Board nor individual Board members shall discover nor convey confidential information regarding District employees or students, the knowledge of which was acquired during closed/executive sessions and except during closed/executive session, unless authorized or required by law to disclose the same.

The Board may hold an executive session by a majority vote of the members present at the meeting. Violation of the “Open Meeting Law” can result in personal liability and potential criminal charges.

LEGAL REF:           SDCL 1-25-1 through 1-25-3



## **BOARD OF EDUCATION/MEETINGS - Series 200**

### ANNUAL MEETING – 203.3

The annual organizational meeting of the Board will be held on the second Monday of July, unless otherwise designated by the Board at the previous regular meeting.

The meeting will be called to order and the oath of office given to all new Board Members. The Board will elect a president and vice-president from its membership, to serve until the next annual meeting. The Superintendent or the business manager will preside over the election of the president.

Other items of business will come before the annual meeting as appropriate. These will include:

- 1) Designation of official depository.
- 2) Designation of the custodians of all accounts.
- 3) Designation of official legal newspaper.
- 4) Authorization of continuation of existing funds or accounts and the establishment of any new accounts, if necessary.
- 5) Setting of date, time and place for regular meetings.
- 6) Reviewing and adopting of Board Policies.
- 7) Establishment of advisory committees where applicable.
- 8) Reviewing of bonds for business manager and other bonded personnel.
- 9) Appointment of administrator of trust and agency accounts.
- 10) Appointment of individual authorized to direct federal programs.
- 11) Authorization of administrator to institute school lunch agreement.
- 12) Authorization of advertising of bids for materials not already purchased.
- 13) Re-designation of Robert's Rules of Order or other rules as parliamentary procedure for Board Meetings.

## **BOARD OF EDUCATION/MEETINGS - Series 200**

### ANNUAL MEETING – 203.3/P2

- 14) Investment resolution: Authorization of business manager to invest and reinvest funds in institutions which serve greatest advantage to the school district.
- 15) Setting admission charges for a year.
- 16) Setting closing of school motion: Authorization of Superintendent to close school in emergency situations and in case of inclement weather and setting chain of command in event Superintendent is absent.

LEGAL REF:           SDCL 13-8-4  
                              13-8-10

## **BOARD OF EDUCATION/MEETINGS - Series 200**

### QUORUM – 204.4

A majority of the School Board membership constitutes a quorum for the transaction of school business.

LEGAL REF: SDCL 13-8-33

## **BOARD OF EDUCATION/MEETINGS - Series 200**

### **BOARD MEETING PROCEDURES AND GUIDELINES – 204.5**

For the general transaction of business, the ordinary parliamentary rules will be observed. If any disputed question may arise, Robert's Rules of Order Revised will be taken as authority.

#### **Public Participation at the Board Meetings**

The Board welcomes citizens of the district to attend its sessions. For citizens wishing to address the Board, the following procedures have been adopted:

- 1) Any individual who desires to speak about an item on the agenda, is asked to present the "request to speak" to the Superintendent, the business manager or the Board president. The request may be communicated orally prior to the meeting or in written form or by a raised hand during the meeting.
- 2) Persons who wish to speak about an item that is not on the agenda, are asked to present such request to the Superintendent or the board president, prior to the beginning of the meeting. Persons who present such a request will be allowed to speak about the topic before the meeting is adjourned.
- 3) Citizens who desire Board action on an item not on the agenda, will submit the item to the Superintendent's office, at least 3 business days prior to the meeting of the Board, at which they wish for the item to be considered.
- 4) Presentations should be as brief as possible. The board reserves the right to set a time limit.

The Board vests in its president or other presiding officer, authority to terminate the remarks of any individual when they do not adhere to the rules established above.

## **BOARD OF EDUCATION/MEETINGS - Series 200**

### **MINUTES – 204.6**

The minutes of meetings of the School Board are the written permanent records of the school district. The business manager will keep minutes of all the official actions of the Board. The minutes will include:

- 1) A record of all actions taken by the Board, with the vote of each member recorded except in cases of unanimous votes.
- 2) Resolutions and motions in full. This will include a detailed statement of all expenditures of money, with names of persons to whom payment is made and service rendered or goods furnished; a detailed statement of receipts, and balance on hand; and expenditures and receipts of trust and agency funds.
- 3) A record of the disposition of all matters on which the board considered, but did not take action.
- 4) The salaries of teachers and other employees will be published after the July organizational meeting.

Within 20 days after a Board Meeting, minutes of the meeting will be published in the legal newspaper, as in accordance with law. The business manager will sign each legal publication submitted to the newspaper.

The Board will approve the minutes of every meeting within 45 days after that meeting. The presiding officer and the business manager will sign the minutes of all regular and special meetings after approval by the Board. Any change or correction in the minutes will be reflected in the minutes of the meeting at which the changes are made.

All minutes will be open to inspection by the public during the regular office hours of the business manager.

LEGAL REF:           SDCL 1-27-1.7  
                              6-1-10  
                              13-8-34  
                              13-8-35  
                              13-8-36  
                              13-8-43

## **BOARD OF EDUCATION/MEETINGS - Series 200**

### MEETING AGENDA – 204.7

#### Agenda Format

The Superintendent, conferring with the president of the Board, will arrange the order of items on meeting agendas to accomplish its business as expeditiously as possible. The particular order may vary from meeting to meeting.

The Board will follow the order of business established by the agenda, except as it votes to rearrange the order for the convenience of visitors, individuals appearing before the Board or to expedite Board business.

#### Agenda Preparation and Dissemination

The agenda for all meetings of the Board will be prepared by the Superintendent in consultation with the Board president.

Items of business may be suggested by any Board Member, staff member or citizen of the district. The agenda, however, will always allow suitable time for the remarks of the public who wish to speak briefly before the Board.

The Board will follow the order of business set up by the agenda unless the order is altered by a majority vote of the members present. Items of business not on the agenda may be discussed and acted upon if a majority of the Board agrees to consider the item. The Board, however, may not revise Board Policies, or adopt new ones, unless such action has been scheduled.

The agenda, together with supporting materials, will be distributed to Board members at least 24 hours prior to the Board Meeting to permit them to give items of business careful consideration. The agenda will also be made available to the press, representatives of community and staff groups and to others upon request.

## **BOARD OF EDUCATION/MEETINGS - Series 200**

### MEETING AGENDA – 204.7

At regular meetings, the following will be the customary order of business:

- 1) Call to order
- 2) Roll call
- 3) Approval of Agenda
- 4) Approval of minutes
- 5) Consideration of claims
- 6) Financial report
- 7) Transportation report
- 8) Visitors
- 9) Staff reports
- 10) Items of discussion
- 11) Reports, Committees, Administration
- 12) Adjournment

## **BOARD OF EDUCATION/MEETINGS - Series 200**

### VOTING METHOD – 204.8

Votes on all motions and resolutions will be by “ayes” and “nays”. No secret ballots will be used.

It is the intent of the board that motions be carried by a majority of members elect. However, in the event that board members must abstain from voting due to conflict of interest, board action may be taken if it is approved by the majority of the members voting.

At the discretion of the president or on the request of a member, a show of hands vote will be made and the vote of members will be recorded. On a voice vote, any member may request that his/her vote be recorded.

LEGAL REF:           SDCL 2-14-15  
                              6-1-17  
                              13-8-10  
                              13-8-33





## **BOARD OF EDUCATION/MISCELLANEOUS – Series 200**

### **ADMINISTRATION IN POLICY ABSENCE – 205.2**

In the absence of Board policy specifically covering any action that the Superintendent feels he/she must take, for the orderly execution of his/her duties, he/she may take temporary action that he/she feels will be in harmony with the overall policy of the Board. However, the Superintendent will not be free to act when the action involves a duty of the Board that by law cannot be delegated.

In each case in which the Superintendent must take such action, he/she will present the matter to the Board for its consideration at its next meeting.

# **ADMINISTRATION**

## **Series 300**

### **300 ADMINISTRATION/SUPERINTENDENT POLICIES**

- 300.1 Qualifications and Duties of Superintendent
- 300.2 Recruitment of Superintendent
- 300.3 Superintendent's Contract/Compensation and Benefits
- 300.4 Evaluation of Superintendent
- 300.5 Policy Implementation
- 300.6 Development of Regulations
- 300.7 Board Review of Regulations
- 300.8 Regulations Dissemination
- 300.9 Approval of Handbooks and Directives
- 300.10 Administration in Policy Absence
- 300.11 Program Consultants
- 300.12 School District Annual Report
- 300.13 Awards Program
- 300.14 Cancellation of Athletic Contest Because of Inclement Weather

### **301 PRINCIPAL POLICIES**

- 301.1 Hiring of Principal
- 301.2 Functions of Principal
- 301.3 Evaluation of Principal
- 301.4 Administrative Organization Plan

## **ADMINISTRATION/SUPERINTENDENT POLICIES –Series 300**

### **QUALIFICATIONS AND DUTIES OF SUPERINTENDENT – 300.1**

**TITLE:** Superintendent of Schools

**QUALIFICATIONS:** Required State Certification with a degree. Candidate will have successful experience as an educational leader and administrator with not less than five years school administrative and teaching experience.

**REPORTS TO:** School Board

**SUPERVISES:** School principal and all personnel of district

#### **SELECTED CRITERIA FOR SUPERINTENDENT EVALUATION**

##### **PUBLIC RELATIONS:**

- Supports board policy
- Develops and maintains cooperative relationship with news media
- Works cooperatively with public and private agencies
- Earns respect and support of the community in the management of operations
- Solicits opinions from divergent groups and individuals and responds to identified problems

##### **LEGISLATIVE ROLE:**

- Maintain liaison with state and federal legislators in efforts to accomplish needed improvements

##### **STAFF RELATIONS:**

- Participates with staff, Board, and community in studying and developing the curriculum improvement process, implementation and evaluation
- Provides leadership in curriculum work that will utilize the abilities of the professional staff and lay people of the community
- Meets with staff to promote understanding of the interests and goals of the Board
- Develops and executes sound personnel procedures and practices
- Delegates authority to staff members when appropriate
- Encourages participation of staff members and groups in policy planning, procedures and recommendations
- Evaluates or provides for procedure to evaluate the performance of staff members.

## **ADMINISTRATION/SUPERINTENDENT POLICIES –Series 300**

### **QUALIFICATIONS AND DUTIES OF THE SUPERINTENDENT – 300.1/P2**

#### **BOARD RELATIONS:**

- Keeps the board informed on issues, needs and operations of the school district
- Offers professional advice to the Board on items requiring Board action, making recommendations based on thorough analysis
- Supports the Board's position
- Makes recommendations for employment, promotion, and/or dismissal of personnel

#### **EXEMPLIFIED DISTRICT PHILOSOPHY:**

- Seeks to achieve community understanding of educational goals for the district

#### **MANAGEMENT TECHNIQUES:**

- Administers board policy
- Assumes leadership in the implementation of district goals, vision, and mission
- Monitors that funds are spent wisely and that adequate accounting procedures are maintained
- Organizes a planned program of staff evaluation and development
- Keeps informed about instructional program
- Plans and reports on the present and future needs of the district
- Evaluates financial status and makes recommendations for necessary funding

#### **PROFESSIONAL GROWTH:**

- Participates personally in professional activities
- Encourages employees to participate in professional activities
- Develops, uses and evaluates effective approaches to improve job performance
- Adheres to the Code of Ethics of the School Administrators of South Dakota

## **ADMINISTRATION/SUPERINTENDENT POLICIES –Series 300**

### **RECRUITMENT OF SUPERINTENDENT – 300.2**

When an opening for Superintendent occurs, the Board shall aggressively recruit in an effort to fill the position with the most capable person available. The Board shall consider only those candidates who meet both state and local qualifications and who display the ability to successfully carry out the duties of the Superintendent.

The Board shall solicit applications from qualified members of the staff and may list the vacancy with placement offices at selected educational institutions in South Dakota and in neighboring states with other educational placement agencies at its discretion.

Applications for Superintendent shall be screened and those candidates who appear to be most promising shall be interviewed. The Board shall endeavor to conduct interviews on a school day so that applicants may visit the schools of the district while they are in session.

The Board may, at its option, utilize the services of the retiring Superintendent and/or of an outside consultant in both recruiting and interviewing candidates for the role of Superintendent.

A vote of the majority of the Board at a meeting for which due notice has been given of the intended action will be required for the appointment of the Superintendent.

## **ADMINISTRATION/SUPERINTENDENT POLICIES –Series 300**

### **SUPERINTENDENT’S CONTRACT/COMPENSATION AND BENEFITS – 300.3**

The appointment of the Superintendent will be secured through an explicit contractual agreement which shall state the term of the contract, compensation and other benefits, including vacation period, and other conditions of employment. The contract will meet all state requirements and will protect the rights of both the Board and the Superintendent.

The salary of the Superintendent, additional benefits, including group life and health insurance, participation in tax-sheltered annuity programs, retirement programs, as well as vacation entitlement, and other leave will be determined at the time of appointment (or reappointment) and will be part of his/her written contract.

LEGAL REF:           SDCL   3-10-2 et seq.  
  3-11-1 et seq.  
  3-12-46 et seq.  
  3-12A-1 et seq.  
  13-10-3  
  13-10-9  
  13-10-10

## **ADMINISTRATION/SUPERINTENDENT POLICIES –Series 300**

### **EVALUATION OF THE SUPERINTENDENT – 300.4**

The Superintendent's performance will be reviewed annually by the Board. This is done in during the January board meeting.

Through this process the Board will strive to accomplish the following:

- 1) Clarify roles of the Board and Superintendent
- 2) Develop a working relationship between the Board and the Superintendent
- 3) Provide leadership for the school district.

Board consensus of the Superintendent's abilities and performance will be put into writing, made available to him/her, and discussed with him/her in an executive session. The evaluation will be used to improve the quality of administration and to determine future employment.

LEGAL REF:           SDCL 13-43-9.1  
                          13-43-12



**ADMINISTRATION/SUPERINTENDENT POLICIES –Series 300**

EVALUATION OF THE SUPERINTENDENT – 300.4/P2

**STANDARDS BASED SUPERINTENDENT EVALUATION FORM**

**STANDARD ONE: SHARED VISION**

A superintendent is an educational leader who promotes the success of every student by facilitating a shared vision of learning that is supported by the school community.

**PERFORMANCE INDICATORS**

- 1.1 Develops and implements district-wide vision, mission and goals.
- 1.2 Creates and implements plans to achieve goals.
- 1.3 Promotes continuous and sustainable improvement.
- 1.4 Monitors and evaluates progress and revises plans.

**SUPPORTING EVIDENCE AND COMMENTS**

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**RATING** (circle the appropriate response)

1 NEEDS IMPROVEMENT	2	3	4 EXEMPLARY
---------------------------	---	---	----------------

**ADMINISTRATION/SUPERINTENDENT POLICIES –Series 300**

EVALUATION OF THE SUPERINTENDENT – 300.4/P3

**STANDARD TWO: CULTURE OF LEARNING**

A superintendent is an educational leader who promotes the success of every student by advocating, nurturing and sustaining a school culture and instructional program conducive to student learning and staff professional growth.

**PERFORMANCE INDICATORS**

- 2.1 Nurtures and sustains a culture of collaboration, trust, learning, and high expectations.
- 2.2 Monitors and evaluates a rigorous and coherent district-wide curricular program.
- 2.3 Uses data to monitor the assessment and accountability systems to assure student progress.
- 2.4 Develops the instructional and leadership capacity of staff through quality professional development.
- 2.5 Promotes the use of the most effective and appropriate technologies to support teaching and learning.

**SUPPORTING EVIDENCE AND COMMENTS**

--

**RATING** (circle the appropriate response)

1 NEEDS IMPROVEMENT	2	3	4 EXEMPLARY
---------------------------	---	---	----------------

**ADMINISTRATION/SUPERINTENDENT POLICIES –Series 300**

EVALUATION OF THE SUPERINTENDENT – 300.4/P4

**STANDARD THREE: LEADERSHIP AND MANAGEMENT**

A superintendent is an educational leader who promotes the success of every student by ensuring management of the organization, operations and resources for a safe, efficient and effective learning environment.

**PERFORMANCE INDICATORS**

- 3.1 Effectively manages district budget, facilities and operations.
- 3.2 Obtains, allocates, aligns, and efficiently utilizes human, fiscal, and technological resources.
- 3.3 Promotes and protects the welfare and safety of students and staff.
- 3.4 Develops leadership capacity throughout the district’s staff.
- 3.5 Ensures teacher and organizational time is focused to support quality instruction and student learning.

**SUPPORTING EVIDENCE AND COMMENTS**

--

RATING (circle the appropriate response)

1 NEEDS IMPROVEMENT	2	3	4 EXEMPLARY
---------------------------	---	---	----------------

**ADMINISTRATION/SUPERINTENDENT POLICIES –Series 300**

EVALUATION OF THE SUPERINTENDENT – 300.4/P5

**STANDARD FOUR: FAMILY AND COMMUNITY**

A superintendent is an educational leader who promotes the success of all students by collaborating with families and community members, responding to diverse community interests and needs and mobilizing community resources.

**PERFORMANCE INDICATORS**

- 4.1 Collects and analyzes data and information pertinent to the educational environment.
- 4.2 Promotes understanding, appreciation, and uses of the community’s various resources.
- 4.3 Builds and sustains positive relationships with families and caregivers.
- 4.4 Builds and sustains productive relationships with community partners.

**SUPPORTING EVIDENCE AND COMMENTS**

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**RATING** (circle the appropriate response)

1 NEEDS IMPROVEMENT	2	3	4 EXEMPLARY
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**ADMINISTRATION/SUPERINTENDENT POLICIES –Series 300**

EVALUATION OF THE SUPERINTENDENT – 300.4/P6

**STANDARD FIVE: ETHICS**

A superintendent is an educational leader who promotes the success of every student by acting with integrity, fairness and in an ethical manner.

**PERFORMANCE INDICATORS**

- 5.1 Conducts oneself in an ethical, fair, trustworthy and professional manner.
- 5.2 Establishes practices to promote personal, physical and emotional health.
- 5.3 Demonstrates respect for diversity in students, staff and programs.
- 5.4 Considers and evaluates the potential moral and legal consequences of decision-making.

**SUPPORTING EVIDENCE AND COMMENTS**

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**RATING (circle the appropriate response)**

1 NEEDS IMPROVEMENT	2	3	4 EXEMPLARY
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**ADMINISTRATION/SUPERINTENDENT POLICIES –Series 300**

EVALUATION OF THE SUPERINTENDENT – 300.4/P6

**STANDARD SIX: SOCIETAL CONTEXT**

A superintendent is an educational leader who promotes the success of every student by understanding, responding to and influencing the political, social, economic, legal and cultural context.

**PERFORMANCE INDICATORS**

- 6.1 Advocates for children, families, and caregivers.
- 6.2 Serves as an advocate to community and legislature for issues beneficial to improved teaching and learning.
- 6.3 Provides leadership for defining superintendent and board roles, mutual expectations and formulating appropriate district policies.
- 6.4 Knows and supports the district school improvement plan and accurately reports progress on goals.

**SUPPORTING EVIDENCE AND COMMENTS**

--

RATING (circle the appropriate response)

1 NEEDS IMPROVEMENT	2	3	4 EXEMPLARY
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# ADMINISTRATION/SUPERINTENDENT POLICIES –Series 300

## EVALUATION OF THE SUPERINTENDENT – 300.4/P7

**EVALUATION SUMMARY**

Place one check  in each row for each standard and one check  for overall rating.

Standards	1 NEEDS IMPROVEMENT	2	3	4 EXEMPLARY
STANDARD ONE				
STANDARD TWO				
STANDARD THREE				
STANDARD FOUR				
STANDARD FIVE				
STANDARD SIX				
OVERALL RATING				

A. Of the standards listed, which is the superintendent's greatest strength? How does this strength directly contribute to district goals?

B. Of the standards listed, which is presenting the greatest challenge to the achievement of district goals?

C. What supports might the board offer to enhance the superintendent's strengths and promote success over existing challenges?

D. Superintendent Comments:

Evaluation Period: \_\_\_\_\_, 20\_\_ to \_\_\_\_\_, 20\_\_

Superintendent's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Board President's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## **ADMINISTRATION/SUPERINTENDENT POLICIES –Series 300**

### **POLICY IMPLEMENTATION – 300.5**

The Superintendent has responsibility for carrying out, through administrative regulations, the policies established by the Board.



## **ADMINISTRATION/SUPERINTENDENT POLICIES –Series 300**

### **DEVELOPMENT OF REGULATIONS – 300.6**

The Board delegates to the Superintendent the function of specifying required actions and designing the detailed arrangements under which the school will be operated.

These required actions and detailed arrangements will constitute the administrative regulations governing the school. They must be in every respect consistent with the policies adopted by the Board.

In the absence of policy, the Superintendent is authorized by the Board to establish regulations as needed. Should the Board consider it necessary, policy will be developed thereafter.

The Board itself will formulate and adopt regulations only when required by law, and when the Superintendent recommends Board adoption in light of strong community attitudes or probable staff reaction.

## **ADMINISTRATION/SUPERINTENDENT POLICIES –Series 300**

### **BOARD REVIEW OF REGULATIONS – 300.7**

The Board reserves the right to review administrative regulations at its discretion, but it will revise or veto such rules only when, in the Board's judgment, they are inconsistent with policies adopted by the Board.

Administrative regulations need not be approved by the Board in advance of issuance except as required by state law or in cases when strong community attitudes, or possible student or staff reaction, make it necessary or advisable for the regulation to have the Board's advance approval.

## **ADMINISTRATION/SUPERINTENDENT POLICIES –Series 300**

### REGULATIONS DISSEMINATION – 300.8

The Superintendent will establish and maintain an orderly plan for making regulations known to all staff members, students and the public. A regulation concerning a particular group in the school will be distributed prior to the effective date of the regulation.

The Superintendent will also provide access to a current collection of Board policies and regulations for all employees of the school district, members of the Boards and the community.

## **ADMINISTRATION/SUPERINTENDENT POLICIES –Series 300**

### **APPROVAL OF HANDBOOKS AND DIRECTIVES – 300.9**

Board policies, district regulations, student handbooks, school rules and procedures will be provided to students, staff and administrators.

It is essential that the contents of all handbooks conform to district-wide policies and regulations. It is also important that all handbooks bearing the name of the district or one of its schools be of a quality that reflects credit on the district. Therefore, the Board expects all handbooks to be approved prior to publication by the Superintendent, or other district administrator(s) as he or she directs.

The Superintendent will use his or her judgment as to whether a specific handbook needs approval by the Board. However, all handbooks published will be made available to the Board for informational purposes.

## **ADMINISTRATION/SUPERINTENDENT POLICIES –Series 300**

### **ADMINISTRATION IN POLICY ABSENCE – 300.10**

In the absence of a Board policy specifically covering any action that the Superintendent feels he/she must take for the orderly execution of his/her duties, he may take temporary action that he/she feels will be consistent with the overall policy of the Board. However, the Superintendent will not be free to act when that action involves a duty of the Board that by law cannot be delegated.

In each case in which the Superintendent must take such action, he/she will present the matter to the Board for its consideration at its next meeting.

## **ADMINISTRATION/SUPERINTENDENT POLICIES –Series 300**

### **PROGRAM CONSULTANTS – 300.11**

In situations where knowledge and/or technical skills are needed that cannot be supplied by regular staff positions, technical and consultant assistance may be considered. Service may be provided with budgetary appropriations.

All consultants will be recommended by the Superintendent and approved by the Board.

Consultants, whether temporary, part-time or full-time will exercise no administrative authority over the work of employees in the district, but will act only as advisors in their fields.

LEGAL REF:           SDCL 13-08-39  
                              13-10-02

## **ADMINISTRATION/SUPERINTENDENT POLICIES –Series 300**

### SCHOOL DISTRICT ANNUAL REPORT – 300.12

In accordance with state law, an annual report covering the educational and financial activities of the school district will be prepared by the business manager, with the assistance of the Superintendent. The report will be presented to the Board for its approval.

Upon arrival by the Board, the report will be filed for audit on or before August 1 with the State Department of Education.

LEGAL REF:           SDCL 13-08-47  
                              13-13-37

## **ADMINISTRATION/SUPERINTENDENT POLICIES –Series 300**

### **AWARDS PROGRAM – 300.13**

There will be an awards program at the end of the school year. The administration will be in charge of this program.



## **ADMINISTRATION/SUPERINTENDENT POLICIES –Series 300**

### **CANCELLATION OF SCHOOL / EXTRACURRICULAR ACTIVITIES DUE TO INCLEMENT WEATHER – 300.14**

Cancellation of athletic contests. because of inclement weather shall be left entirely to the discretion of the administration. Information involving the cancellation shall be disseminated via radio and TV. The announcement of cancellation will be made at least two hours before any student would need to be at the school for the contest or for departure for an away contest.

Radio stations: WNAX, KVHT, and KYNT

TV stations: KELO, KSFY, KDLT

School Reach: if available

## **ADMINISTRATION/PRINCIPAL POLICES– Series 300**

### **HIRING OF A PRINCIPAL – 301.1**

The Superintendent shall submit nominations to the Board for administrative appointments. While the Board may accept or reject nominations, election of a principal shall be valid only if made on the nomination of the Superintendent.

## ADMINISTRATION/PRINCIPAL POLICES – Series 300

### FUNCTIONS OF THE PRINCIPAL – 301.2

Each principal shall be the director of his/her area and shall be held responsible to the Superintendent for the proper administration of said area. He/she should be called upon to contribute to the general policies and procedures of the school. The Superintendent should welcome the administrative views of the principal. The spirit of democratic participation should prevail at all times on the part of both the principal and the Superintendent.

**General Duties:** The principal shall be under the direction of the Superintendent and shall cooperate with him/her in the general organization and plan of procedure in the school under his/her supervision.

**Schedules:** The Superintendent and principals shall cooperate in determining courses to be offered and in arranging the schedules. As much of the schedule as possible should be made before school closes for summer vacation. In the matter of courses offered, the final approval rests with the Superintendent who in turn is responsible to the Board.

Principals shall have, under direction of the Superintendent, immediate supervision of the teachers in their respective schools.

Principals shall have general supervision of the school grounds of their respective assignments and shall be held responsible for any want of care, neatness or cleanliness of the premises.

Principals shall see that all the school books, supplies, materials and furniture are properly taken care of, and once each year make an inventory of all books on hand.

Principals shall be required to instruct their staff to make a complete annual inventory of all school property contained in their individual rooms, same to be filed with the Superintendent.

Principals shall have supervision of the discipline of their schools and school grounds and it shall be their special duty to see that school grounds are properly supervised.

Principals shall maintain the regular schedule of school hours established by the Board and shall make no temporary changes in the schedule without the consent of the Superintendent.

An athletic director will be named to carry out the specific duties of the athletic program, remaining responsible to the Superintendent for approval.

## **ADMINISTRATION/PRINCIPAL POLICES – Series 300**

### **FUNCTIONS OF THE PRINCIPAL – 301.2/P2**

Principals shall enforce the following rules and regulations:

- 1) No list of students shall be given to any person except on order of the Superintendent.
- 2) There shall be no collection of money, food or clothing except as authorized by the Superintendent.
- 3) Interviews with students during school hours are generally not permitted, and never permitted without principal's consent. Parent's consent is requested when there is any doubt.
- 4) The principal shall have charge of activity funds for his/her department. Monthly reports on receipts and expenditures shall be made to the Superintendent and the Board Members.

The principal shall provide adequate supervision for all athletic contests. This also applies to other activities sponsored by the school.

# ADMINISTRATION/PRINCIPAL POLICES – Series 300

## EVALUATION OF PRINCIPAL – 301.3

\_\_\_\_\_  
Administrator

\_\_\_\_\_  
Date

**Purposes:**

Evaluation is to ensure that the administrator displays adequate management skills and leadership among the students, staff, and community. The evaluation process will assure that the administrator has goals appropriate to his/her level of responsibility and in line with overall school system goals.

ES—Exceeds Standards

S –Standard

NI—Needs Improvement

U –Unsatisfactory

<u>ADMINISTRATIVE SKILLS</u>	<u>ES</u>	<u>S</u>	<u>NI</u>	<u>U</u>
1. Has implemented procedures for budget preparation and accounting methods for monitoring the budget	—	—	—	—
2. Has implemented a plan for the effective cleaning and maintenance of the facility	—	—	—	—
3. Has implemented a process for inventorying, acquiring, and replacing of equipment	—	—	—	—
4. Has implemented safety and energy conservation procedures	—	—	—	—
5. Has established procedures for the use of student, teacher, and parent feedback	—	—	—	—
6. Has developed and follows procedures for administrative scheduling and reporting	—	—	—	—
7. Has completed written communications accurately and on schedule	—	—	—	—
<u>INSTRUCTIONAL LEADERSHIP</u>	<u>ES</u>	<u>S</u>	<u>NI</u>	<u>U</u>
1. Has demonstrated knowledge of curricular issues in various subject areas	—	—	—	—
2. Has assisted classroom teacher in the implementation of the curriculum	—	—	—	—
3. Has evaluated the instructional program and used the results to plan program improvements	—	—	—	—
4. Has knowledge of good teaching methods and assists teachers to improve diagnostic skills and teaching strategies	—	—	—	—
5. Has carried out procedures to evaluate and maintain a building climate conducive to learning	—	—	—	—

# ADMINISTRATION/PRINCIPAL POLICES – Series 300

## EVALUATION OF PRINCIPAL – 301.3/P2

SUPERVISION	ES	S	NI	U
1. Has coordinated the work of special and support personnel with the programs of the school	—	—	—	—
2. Has conducted a program of faculty and staff supervision that includes periodic visits, conferences, and evaluation of all personnel	—	—	—	—
3. Has carried out a procedure for the orientation and supervision of all new personnel	—	—	—	—
4. Has developed and implemented procedures to maintain effective school discipline	—	—	—	—
5. Has maintained a system of supervision of all after-school activities	—	—	—	—
SCHOOL AND COMMUNITY	ES	S	NI	U
1. Has promoted good relationships between the school and community through positive interpretation and implementation of district policy	—	—	—	—
2. Has conducted a comprehensive and effective system of communication with parents of the school	—	—	—	—
3. Has coordinated and maintained a volunteer program in the school	—	—	—	—
4. Has participated in various civic, service, and community groups and community functions to help assure public knowledge and understanding of the school program	—	—	—	—
5. Has provided support and guidance to P.T.O. and other parent groups	—	—	—	—
PERSONAL QUALITIES	ES	S	NI	U
1. Has exhibited professional growth through in-service activities, conferences and conventions, membership in and participation in professional organizations, and continuing formal education	—	—	—	—
2. Has displayed appropriate decision making skills by recognizing problems, evaluating facts, and implementing decisions	—	—	—	—
3. Has displayed good personal relationships with administration, faculty, parents, and students	—	—	—	—
4. Has evidenced personal and professional enthusiasm in the quality of work accomplished	—	—	—	—

**ADMINISTRATION/PRINCIPAL POLICES – Series 300**

EVALUATION OF PRINCIPAL – 301.3/P3

***EMPLOYMENT RECOMMENDATION***

Recommended for continued employment.

Recommended for continued employment with qualifications.

Not recommended for employment.

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

Signature does not indicate agreement with the evaluation, but does verify knowledge of the report.

Administrator Signature \_\_\_\_\_

Date \_\_\_\_\_

Superintendent Signature \_\_\_\_\_

Date \_\_\_\_\_

## **ADMINISTRATION/PRINCIPAL POLICES – Series 300**

### **ADMINISTRATIVE ORGANIZATION PLAN – 301.4**

The district administration will be organized in a manner that assures that the school will be able to effectively and efficiently carry out programs and respond to any new programs demanded by our needs or opportunities, or suggested by research or successful practice. The organization must allow the school opportunities to address its' particular needs and improve existing programs.

The legal authority of the Board will be transmitted through the Superintendent along specific paths from person to person through the approved organizational structure.

The organizational structure approved by the Board will represent direction of authority and responsibility; it will not restrict cooperation among staff members at all levels or the flow of ideas necessary in the decision-making processes.

The Superintendent will be responsible for keeping the administrative structure of the school district up to date with the changes in goals, curriculum, instructional arrangements, and school services, and will recommend revisions in the structure as necessary to the Board.



# STAFF PERSONNEL

## Series 400

### 400 STAFF PERSONNEL POLICES

400.1	Introduction
400.2	General Reference Policy
400.3	Equal Opportunity
400.4	Staff Ethics
400.5	Staff Conflict of Interest
400.6	Staff Conduct
400.7	Freedom of Expression
400.8	Search and Seizure
400.9	Employees Use of Network Sites
400.10	District Involvement in Political Activity
400.11	Professional Staff Recruiting
400.12	Professional Staff Hiring
400.13	Professional Staff Positions
400.14	Background Checks
400.15	Staff Selection
400.16	Certification
400.17	Sexual Harassment
400.18	Employee Communicable Disease
400.19	Use of Alcohol in the Work Place
400.20	Smoking on School Premises
400.21	Staff Health and Safety
400.22	Personnel Records
400.23	Professional Staff Contracts and Compensation Plans
400.24	Exit Interview
400.25	Gayville-Volin 63-1 Negotiations Agreement
400.26	Professional Staff Jury Leave
400.27	Military Leave of Absence
400.28	Crisis Management Plan
400.29	Professional Staff Vacations and Holidays
400.30	Family and Medical Leave
400.31	Evaluation of Professional Staff
400.32	Professional Staff Probation and Tenure Hearing
400.33	Professional Staff Assignments and Transfers
400.34	Reduction in Professional Staff and Workforce
400.35	Resignation of Professional Staff Members
400.36	Retirement of Professional Staff Members
400.37	Suspension and/or Dismissal of Professional Staff Members
400.38	Tutoring for Pay
400.39	Staff Participation in Political Activities
400.40	Part-time and Substitute Professional Staff Employment

## **401 STAFF COMPLAINTS AND GRIEVANCES**

- 401.1 Grievance Procedure
- 401.2 Grievance Forms

## **402 SUPPORT STAFF**

- 402.1 Support Staff Positions
- 402.2 Custodians
- 402.3 Food Service Personnel
- 402.4 Bus Drivers
- 402.5 Support Staff Contracts and Compensation Plans
- 402.6 Support Staff Supplementary Pay Plans
- 402.7 Suspension and dismissal of support staff members
- 402.8 Support Staff Leaves and Absences
- 402.9 Family and Medical Leave Act (Support Staff)
- 402.10 Retirement of Support Staff Members

## **403 NEGOTIATIONS**

- 403.1 Negotiations Goal
- 403.2 Negotiations Legal Status
- 403.3 Scope of Negotiations
- 403.4 School Board Negotiations Powers and Duties
- 403.5 Board Negotiating Agents
- 403.6 Staff Negotiating Organizations
- 403.7 Privileges of Staff Negotiating Organization
- 403.8 Negotiations Procedure
- 403.9 Preliminary Negotiated Agreement Disposition
- 403.10 Impasse
- 403.11 Strike

## **STAFF PERSONNEL/POLICES – Series 400**

### INTRODUCTION – 400.1

The goal of the Board of Education of the Gayville-Volin School District is to provide an educational program of the highest standards possible. Success in attaining this goal is dependent in large measure upon the competency of the professional staff and of those who serve in direct supporting positions to the instructional program of the school.

It shall therefore be the policy of the Board of Education to recruit and retain the highest caliber of professional and supporting personnel.

It shall be the policy of the Board of Education to appoint all personnel only upon the recommendation of the Superintendent of Schools.

## **STAFF PERSONNEL/POLICES – Series 400**

### GENERAL REFERENCE POLICY – 400.2

It is the policy of this school district to respond only to written requests for reference information. The information which may be released includes the employee name, job title, salary and dates of employment.

This policy applies to current or former employees and should not reflect either negatively or positively on a specific employee. If an employee would like additional work-related information released, they would sign a release of information form provided by the Superintendent. Employees are in no way required to sign the release.

This release will be placed in your personnel file.

## **STAFF PERSONNEL/POLICES – Series 400**

EQUAL OPPORTUNITY – 400.3

*GAYVILLE-VOLIN SCHOOL DISTRICT #63-1*

*NONDISCRIMINATION NOTICE*

### Non-Discriminatory Policy

It is the policy of the Gayville-Volin School District 63-1 that no person be subjected to discrimination in its policies and programs on the basis of race, color, national origin, age, gender, disability, creed or religion. The following people have been designated to handle inquiries regarding nondiscrimination policies: Title II (discrimination based on disability), Title VI (discrimination based on national origin or race) or Title IX (discrimination based on gender): Superintendent, Gayville-Volin School District, 100 Kingsbury, Gayville, SD 57031. Section 504 (discrimination based on disability): Director of Special Education, Gayville-Volin School District, 100 Kingsbury, Gayville, SD 57031.

LEGAL REF:           Americans with Disabilities Act, July 26, 1990  
                          Equal Employment Opportunity Act of 1972  
                          Rehabilitation Act of 1973  
                          Title IX (P.L. 92-318) 45 CFR, Parts 81, 86 (Federal Register June 4,  
                          1975, August 11, 1975) (Gender Discrimination)  
                          Title VI Civil rights Act of 1964, as amended in 1972 (Nondiscrimination  
                          in federally assisted programs)  
                          Title VII Education Amendments of 1972  
                          Title VII Executive Order 11246, 1965, as amended by Executive Order  
                          11375  
                          SDCL 13-43-17  
                                  13-43-17.1  
                                  13-43-18  
                                  13-43-20  
                                  13-43-20.1  
                                  13-43-21  
                                  13-43-23  
                                  13-43-25

## **STAFF PERSONNEL/POLICES – Series 400**

### **STAFF ETHICS – 400.4**

An effective educational program requires the services of men and women of integrity, high ideals, and human understanding. To maintain and promote these essentials, all employees of the district are expected to maintain high standards in their school relationships. These standards include the following:

- 1) The maintenance of just and courteous professional relationships with students, parents, staff members, and others.
- 2) The maintenance of their own efficiency and knowledge of the developments in their fields of work.
- 3) The transaction of all official business with the properly designated authorities of the school system.
- 4) The establishment of friendly and intelligent cooperation between the community and the school district.
- 5) Favorable representation of the school district at local events that are in recognition of the schools' contributions to the community.
- 6) The placement of the welfare of children as the first concern of the school district, thus appointments to positions and promotion must be based solely on merit. The use of pressure on school officials for appointment or promotion is unethical.
- 7) Restraint from using school contacts and privileges to promote partisan politics, sectarian religious views, or selfish propaganda of any kind.
- 8) Directing any criticism of other staff members or of any department of the school district toward the improvement of the school district. Such constructive criticism is to be made directly to the particular school administrator who has the administrative responsibility for improving the situation and then to the Superintendent if necessary

**LEGAL REF:** SDCL 13-43-25

**CROSS REF:** GBCA: Staff Conflict of Interest  
GBCB: Staff Conduct  
GBCBA: Freedom of Expression

## **STAFF PERSONNEL/POLICES – Series 400**

### **STAFF CONFLICT OF INTEREST – 400.5**

Employees of the Board will not engage in nor have a financial interest, directly or indirectly, in any activity that conflicts (or raises a reasonable question of conflict) with their duties and responsibilities in the school system.

Employees will not engage in work of any type where information concerning customer, client, or employer originates from any information available to them through school sources.

Employees will not sell textbooks, instructional supplies, equipment, reference books, or any other school products to the schools in the district. They will not furnish the names of students or parents to anyone selling these materials.

In order that there is no conflict of interest in the supervision and evaluation of employees, at no time may any administrator be responsible for the supervision and/or evaluation of an employee who is related to him or her who is within the third degree of consanguinity or is his or her spouse.

Neither the spouse of a Board member, nor any person who is related to a Board member within the third degree of consanguinity, will be employed in the district, except by a unanimous vote by the Board.

LEGAL REF:           SD Constitution Article 8-17 17  
                          SDCL 6-1-1  
                              6-1-17  
                              13-20-2.1  
                              13-43-1

CROSS REF:           BBFA: Board Member Conflict of Interest

## **STAFF PERSONNEL/POLICES – Series 400**

### **STAFF CONDUCT – 400.6**

All staff members have a responsibility to familiarize themselves with and abide by the laws of the State as these affect their work, the policies of the Board, and the regulations designed to implement them.

In the area of personal conduct, the Board expects that teachers and others will conduct themselves in a manner that not only reflects credit to the school district, but also sets forth a model worthy of emulation by students.

All staff members will be expected to carry out their assigned responsibilities with conscientious concern.

Essential to the success of ongoing school operations and the instructional program are the following specific responsibilities, which will be required of all personnel:

- 1) Faithfulness and promptness in attendance at work;
- 2) Support and enforcement of policies of the Board and regulations of the school administration in regard to students;
- 3) Diligence in submitting required reports promptly at the times specified;
- 4) Care and protection of school property.
- 5) Concern for and attention to their own and the school district's legal responsibility for the safety and welfare of students, including the need to ensure that students are under supervision at all times.

LEGAL REF:           SDCL 13-43-28  
                              13-8-44



## **STAFF PERSONNEL/POLICES – Series 400**

### **FREEDOM OF EXPRESSION – 400.7**

When public employees make statements pursuant to their official duties: in the classroom, at board meetings, and at other meetings related to educational issues affecting the district, the employees are not speaking as citizens for First Amendment purposes, and the Constitution does not insulate their communications from employer discipline (*Garcetti v. Ceballos*).

LEGAL REF:            *Garcetti v. Ceballos*, No. 04-473 (U.S. May 30, 2006)

## **STAFF PERSONNEL/POLICES – Series 400**

### **SEARCH AND SEIZURE – 400.8**

All district property, including, but not limited to, real estate, buildings, offices, desks, storage areas, lockers, computer systems and equipment, voice-mail, and vehicles, is owned by the district, and is intended for educational purposes, and district business, at all times.

Neither staff members, nor students, shall have any expectation of privacy when using school property. The district reserves the right to monitor, inspect, copy, review and store (at any time and without notice) all usage of district property including computer and computer systems, including all internet and electronic communications access and transmission/receipt of materials and information. All material and information accessed and/or received through district computers and computer systems shall remain the property of the school district.

System users have no right of privacy and should have no expectation of privacy in materials sent, received, or stored in district-owned computers or on the district system or within the physical area of the district. School officials reserved the right to review district system/property use at any time to determine if such use meets the criteria set forth in school board policies and district regulations. Routine maintenance and monitoring of the system and physical plant may lead to the discovery that the user has or is violating district policy or law. Once a problem is discovered, an individual search may be conducted. The search/investigation will be reasonable and will be in keeping with the nature of the alleged misconduct.

Employees or students violating acceptable use of district property, or policy, may be subject to disciplinary action by the Superintendent or designee, depending on the nature of the violation.

LEGAL REF:           SDCL 13-5-1  
                              13-8-39

## **STAFF PERSONNEL/POLICES – Series 400**

### **EMPLOYEE USE OF NETWORKING SITES – 400.9**

Technology will be used to complement and foster public education. Utilization by employees must not distract from or disrupt the educational process. Proper decorum is the standard of conduct expected of a professional. That standard will apply to the use of technology and social networking sites.

The Superintendent will ensure that staff members are reminded and informed of the importance of maintaining proper decorum when using technology as well as in person.

Proscribed conduct includes:

- 1) Improper fraternization with students.
- 2) Staff members providing private phone numbers without prior approval of the district.
- 3) Inappropriate email or phone contact with students.
- 4) Posting items containing inappropriate sexual content.
- 5) Posting items exhibiting or advocating illegal use of drugs or alcohol.

All contact and messages by coaches with team members shall be sent to all team members, except for messages concerning medical or academic privacy, in which case the messages will be copied to the athletic director and the school principal.

The administration will monitor improper use of technology, and impose sanctions including dismissal from employment. Employees have no expectation of privacy with respect to utilization of neither district property, nor engagement in social networking sites.

## **STAFF PERSONNEL/POLICES – Series 400**

### **DISTRICT INVOLVEMENT IN POLITICAL ACTIVITY – 400.10**

The Board believes in the importance of democracy in American society and advocates political participation as an act of self-governance. In this spirit, the Board recognizes the rights of district employees, as private citizens, to be involved in local, state and federal political activities, and encourages politically related material, discussions and projects in the classroom with the intent to teach students about democracy.

For the purpose of educating voters and lawmakers, the Board will provide information on ballot questions. The Board authorizes the superintendent or superintendent's designee to communicate such information to citizens, media sources, public officials or candidates running for office as the superintendent or designee deems appropriate.

However, the board prohibits the following actions:

- 1) Use of an official school title to endorse or oppose candidates running for elected office, a political party or a proposition, referendum or issue being voted upon by the electorate;
- 2) Use of district funds to support or oppose a candidate running for elected office, a political action committee, a political party or a proposition, referendum or other ballot issue;
- 3) Distribution or posting of material which supports or opposes any candidate, political party or action committee, or proposition, referendum or other ballot issue on school property during school hours; and
- 4) Use of school facilities by candidates, their representatives, political parties, or political action committees.

LEGAL REF: Hatch Act (Act to prevent pernicious political activities)  
SDCL 12-27-20  
12-27-21  
13-43-1  
13-43-15.1  
13-7-3

CROSS REF: GBG: Staff Participation in Political Activities  
KMI: Relations with Political Organizations (Public Funds)  
KG: Community Use of School Facilities

## **STAFF PERSONNEL/POLICES – Series 400**

### **PROFESSIONAL STAFF RECRUITING – 400.11**

The Superintendent develops and maintains a continuous recruitment program to attract the best professional personnel to the district's school.

The Superintendent, with the assistance of other district administrators, determines the personnel needs of the district and locates suitable candidates to recommend for employment.

Recruitment procedures will not overlook the talents and potential of individuals already employed by the district. As vacancies occur, the Superintendent will post notices to all staff members. Any present employee of the Board may apply for any position for which he/she is certified to teach.



## **STAFF PERSONNEL/POLICES – Series 400**

### PROFESSIONAL STAFF POSITIONS– 400.13

All professional staff positions in the school district will be created initially by the Board. It is the Board's intent to activate a sufficient number of positions to accomplish the school district's goals and objectives and to provide for the equitable staffing of each school building. Although such positions may remain temporarily unfilled, only the Board may abolish a position it has created.

Each time a new position is established by the Board, the Superintendent will present for the Board's approval a job description for the position, which specifies the job holder's qualifications and the job's performance responsibilities. The Superintendent will maintain a comprehensive set of job descriptions for all positions.

LEGAL REF:           SDCL 13-43-16

## **STAFF PERSONNEL/POLICES – Series 400**

### **BACKGROUND CHECKS– 400.14**

The School District is committed to the selection of quality staff and to providing a safe environment for students and staff. As part of that commitment, the district will obtain background checks on school employees and may obtain background checks on school volunteers or employees of contracted vendors pursuant to this policy and in accordance with state law.

#### **EMPLOYEE CRIMINAL BACKGROUND CHECKS**

Any offer of employment is contingent upon the satisfactory outcome of a criminal background check. The district has the sole discretion to determine whether the outcome of a criminal background check is satisfactory. In making a determination, the district:

- 1) Shall adhere to all applicable state laws that disqualify an individual from employment by a school district; and
- 2) May consider the conviction of any crime of moral turpitude; and
- 3) May consider any criminal conviction, including convictions not disclosed by an applicant.

An individual may be granted employment on a temporary basis pending the receipt of the results of a criminal background check. In the event that a temporary employee is determined to have an unsatisfactory background check, employment will be immediately terminated without notice or hearing.

This policy shall not apply to persons performing services for the district under the authority of the South Dakota High School Activities Association. This policy applies to all other employment agreements, whether written or oral.

#### **INDEPENDENT CONTRACTORS AND VOLUNTEERS**

Any organization that contracts with the district for service shall be required to certify to the district, in writing, that individuals employed by the service provider have been subjected to a criminal background check. At the discretion of the superintendent, this requirement may be waived if individuals employed by the service provider do not have contact with students.

The district may, at its discretion, require a criminal background check on any volunteer.



## **STAFF PERSONNEL/POLICES – Series 400**

### **BACKGROUND CHECKS– 400.14/P2**

#### **FINANCIAL BACKGROUND CHECKS**

Any individual employed as the district's business official shall, prior to employment, be subject to a financial background check. A financial background check may include a credit check, financial delinquencies, corporate interests and any other examination of the individual's financial trustworthiness.

At the discretion of the superintendent or a designee, individuals applying for financially sensitive positions may be subject a financial background check prior to employment.

#### **ADDITIONAL BACKGROUND CHECKS**

The Superintendent is charged with developing recruiting and hiring procedures that ensure all district employees have been subject to relevant background checks, including education and employment history.

#### **CONFIDENTIALITY**

Information received as the result of this policy shall remain confidential and shall not be released to any other individual or entity.

LEGAL REF:           SDCL 13-10-12  
                              13-10-13  
                              13-10-14  
                              13-10-15  
                              13-10-16  
                              22-1-2.19  
                              22-1-2.25  
                              22-24B-1

## **STAFF PERSONNEL/POLICES – Series 400**

### STAFF SELECTION – 400.15

Selection of staff personnel shall be based on the following qualifications.

- 1) Training and certification
- 2) Demonstrated professional competency
- 3) Personality
- 4) Suitability for position

## **STAFF PERSONNEL/POLICES – Series 400**

### **CERTIFICATION – 400.16**

Upon initial employment with the Gayville-Volin School District, all certified employees must register their certificates with the State Department of Public Instruction. This should be accomplished no later than the opening day of school.

Each administrator, supervisor, teacher, and non-instructional professional shall supply evidence that he/she is a holder of a certificate or statement of professional recognition which is in force and valid for the type of position in which he/she is employed.

The Superintendent shall have on file at the beginning of and throughout each school year complete official transcripts of the preparation of all regularly employed members of the instructional professional staff. Also, the Superintendent shall maintain a file consisting of copies of all staff members' legal certificates or copies of records made there from showing that they are legally eligible for the position in which they are employed and that these certificates are registered with the State Department of Public Instruction.

All professional employees shall be properly certified as required by statutory enactment and the Department of public Instruction. The responsibility of filing rests solely with the teacher.

## **STAFF PERSONNEL/POLICES – Series 400**

### **SEXUAL HARASSMENT – 400.17**

The Gayville-Volin School will not tolerate sexual harassment. All staff must avoid any action or conduct which could be viewed as sexual harassment.

Sexual harassment includes, but is not limited to:

- 1) Sexual advances
- 2) Requests for sexual favors
- 3) Other verbal or physical conduct of a sexually harassing nature when:
  - a) submission to the harassment is made either explicitly or implicitly
  - b) submission to or rejection of the harassment is used as the basis for decisions affecting an individual; or
  - c) the harassment has the purpose or effect of unreasonably interfering with an individual's professional performance; or
  - d) creation of an intimidating, hostile or offensive environment.

A staff member who has a complaint of sexual harassment on school property including students, teachers, staff, or visitors, should clearly inform the harasser that his or her behavior is offensive or unwelcome and request that the behavior stop. If the behavior continues, the staff member must immediately bring the matter to the attention of the Administration. If an administrator is involved in the harassing activity, the violation should be reported to the Board of Education.

If a teacher/staff member finds a student is involved in an incident of sexual harassment, he or she will immediately report the incident to the Administration. If the alleged harassment involves any type of threat of physical harm to the victim, the alleged harasser shall be suspended. During the suspension, an investigation will be conducted by the Administration. If the investigation supports charges of sexual harassment, the "Progressive Disciplinary Action" plan will be initiated. If the investigation reveals that the charges were brought falsely and with the malicious intent, the charging party may be subject to disciplinary action. The incident(s) may be reported to the law enforcement authorities, if deemed appropriate and as required by law.

The investigation shall include:

- 1) documentation of the specifics of all sexual harassment claims
- 2) the details of the investigation; and
- 3) the nature of the corrective action, if any is taken.

## STAFF PERSONNEL/POLICES – Series 400

### EMPLOYEE COMMUNICABLE DISEASES – 400.18

The determination of whether an infected employee be excluded from work activities shall be made on a case-by-case basis, by the administration or designee.

In situations where the decision requires additional knowledge and expertise, the principal will refer the case to an advisory committee for assistance in determining the proper course of action. The advisory committee may be composed of: a) a representative from the State Health Department; b) the employee's physician; c) the employee and/or designee; d) the school health service's supervisor; e) the superintendent or designee; and e) other appropriate school personnel

In making the determination, the advisory committee shall consider: a) the physical condition of the school employees; b) the expected type(s) of interaction with others in the school setting; c) the impact on both the infected school employee and others in that setting; d) the South Dakota Department of Health guidelines and policies; e) the status of certification of health of the employee under South Dakota Law; f) .the recommendation of the County Health Officer, which may be controlling; g) information regarding the infected employee, which is, deemed part of his/her personnel records, therefore is classified as "Confidential".

The advisory committee may officially request assistance from the State Department of Health.

If employment of an infected employee is to be interrupted or discontinued, the employee will be entitled to use available medical leave and receive available benefits as stated in the Negotiations Agreement.

If the employee is permitted to remain in the school setting the following procedures will be followed by the Administration:

- 1) Public information will not be revealed about the employee who may be infected. If the employee is permitted to remain in the school setting, the principal, will provide, as appropriate to school employees who have regular contact with the employee, as to the employee's medical condition and other factors needed for consideration in carrying out job responsibilities.
- 2) Health guidelines for work attendance are established and interpreted with the context of the case.
- 3) Instructions in appropriate handling of blood and body fluids will be provided. Hand washing after contamination, food preparation, and health/hygiene care performed in different sink and work areas are part of creating a healthy environment.
- 4) Specific health concerns may require the administration to make a determination on school attendance or participation in school activities.

LEGAL REF: SDCL 13-43-3 through 13-43-3.3, SDCL 1-27-3, and ARSD 24:03:09:10 OTHER REFERENCE: Control of Communication Diseases in Man, 14<sup>th</sup> Ed., 1985—Abram S. Benenson, Editor.

## STAFF PERSONNEL/POLICES – Series 400

### EMPLOYEE COMMUNICABLE DISEASES – 400.18/P2

#### EMPLOYEE COMMUNICABLE DISEASE GUIDELINES

Health guidelines for work attendance are established and interpreted with the context of the situation. The guidelines are not inclusive but are available to be used as a resource. Specific needs will be addressed individually. School personnel will refer to school health professionals for specific judgments in interpreting the guidelines.

<b>Disease and Incubation Period*</b>	<b>Rules for Work Attendance</b>
Acquired Immune Deficiency Syndrome (AIDS) *6 months-five years	Determination should be made by the Advisory Committee as outlined in the Disease Policy. The State Department of Health guidelines on AIDS shall be used as reference.
Chicken Pox *14-21 days	The employee may attend work after all pox are dry and scabbed.
Cytomegalovirus (CMV) Salivary Gland Viruses	The employee may attend work. Precautions should be taken by contacts with immunosuppression as anti-cancer or organ transplants as well as anyone with suspected or known pregnancy. Good hand washing in all cases should eliminate risk of transfer of infection.
Giardiasis and Infectious Enteric Diseases *5-25 days or longer.	The employee may attend work. Food handlers must remain at home until they have three negative stool specimens. Good hand washing in all cases should eliminate risk of transfer of infection.
Herpes Simplex *2-12 days	The employee may attend work during an active case. Good hand washing in all cases should eliminate risk of transfer of infection.
Impetigo variable *4-10 days	The employee may attend school if under treatment and covered or dry.
Infectious Hepatitis *15-40 days (Average 25 days)	The employee may attend work as directed by the physician. Appropriate personal

	hygiene precautions should eliminate risk of transfer of infection.
Measles (Red, Hard, Rubeola, 7-day) *8-14 days	The employee may attend work after a minimum of seven (7) days. Employees who have had contact with measles may attend work if the employee has had the measles or if immunization is up to date.
Infectious Mononucleosis (Glandular Fever) *2-6 weeks	The employee may attend work as directed by the physician.
Mumps	The employee may attend work after
*12-21 days	swelling has disappeared.
Pediculosis (Lice)	The employee may attend work after treatment.
Pink Eye (Conjunctivitis) *5-12 days	The employee may attend work after the eye is clear, under treatment or with physician's written permission.
Ring Worm (Scalp, Body, Athlete's Foot)	The employee may attend work if area is under treatment.
Rubella (3-day, German Measles) *14-21 days	The employee may attend work after a minimum of four days. Prevent exposure of pregnant women.
Scabies (7-year itch, Mites)	The employee may attend work after treatment.
Streptococcal Infections(Scarlet Fever, Scarletina, Strep Throat) *1-3 days	The employee may attend work 24 hours after initiating oral antibiotic therapy and clinically well.

All communicable and chronic disease should be reported to Health Services.

\*Time interval between initial contact with an infectious agent and the first sign of symptom of the disease.

LEGAL REF: SDCL 1-27-3  
SDCL 13-43-3.3

## **STAFF PERSONNEL/POLICES – Series 400**

### **USE OF ALCOHOL, DRUGS, AND CONTROLLED SUBSTANCES BY EMPLOYEES (DRUG FREE WORKPLACE) – 400.19**

The School Board will not tolerate the unlawful manufacture, use, possession, sale, distribution or being under the influence of drugs or controlled substances while on duty. Any employee who violates this policy will be subject to disciplinary action which may include dismissal. Each employee of the district is hereby notified that, as a condition of employment, the employee must abide by the terms of this policy and will report to the Superintendent any criminal drug statute conviction for a violation. Such notification must be made by the employee to the Superintendent no later than five days after conviction. Within ten (10) days after the Superintendent receives such notification, in any school district receiving direct federal aid, the Superintendent will report the violation to the United States Department of Education and in all cases report the violation to the State Department of Education.

Thirty days after receipt of information concerning a violation of this policy, the district will take appropriate disciplinary action which may include termination of employment or may require the employee to participate in drug abuse assistance or rehabilitation programs.

The School Board recognizes that employees who have a drug abuse problem should be encouraged to seek professional assistance.

When a staff member has consumed alcoholic beverages or illegal drugs off school property or before a school activity, the staff member will not be allowed on school property or to participate in school activities. Staff members who violate this regulation will be subject to the same penalties as for possession or consumption on school property.

LEGAL REF:           Public Law 100-690, 010-226



## **STAFF PERSONNEL/POLICES – Series 400**

### **SMOKING ON SCHOOL PREMISES – 400.20 (DRUG-FREE WORK PLACE)**

The Board hereby prohibits smoking by staff members, students, employees, visitors, or guests in all District vehicles, buildings, and grounds.

For the purpose of this policy, “smoking” will mean all uses of tobacco, including cigars, chewing tobacco, cigarettes, and pipes.

RESOURCE: NSBA (1987). No Smoking: a Board Member’s Guide to Nonsmoking Policies for the School. 1680 Duke Street, Alexandria, VA 22314

LEGAL REF: SDCL 34-46-14



## **STAFF PERSONNEL/POLICES – Series 400**

### **PERSONNEL RECORDS – 400.22**

The Superintendent and business manager will develop and implement a comprehensive and efficient system of personnel records, under the following guidelines:

- 1) A personnel folder for each employee will be accurately maintained in the administrative office which will include the correct name and the current address and telephone number of the employee along with:
  - a) an accurate record of the work experience of the employee
  - b) current data on education completed, including the transcripts of all academic work
  - c) proof of requirements fulfilled in order to be eligible for salary;
  - d) current data on credentials;
  - e) any current data requested concerning the health of the employee, or medical examinations which the employee may have undergone;
  - e) records of assignment;
  - f) evaluations of performance;
  - g) letters of commendation, reprimand, or omission of duty;
  - h) other materials mutually agreed upon between the principal and the teacher or supervisor and employee.
- 2) All personnel records of individual employees of the Board will be considered confidential. They will not be open for public inspection. Access will be limited to the Superintendent, principal, and business manager.
- 3) Each employee will have the right, upon request, to review the contents of his/her own personnel file, with the exception of recommendations provided to the district on a confidential basis. Such requests will be made to the Superintendent and scheduled for a time convenient for the parties involved.
- 4) Employees may make written objections to any information contained in the file. Any written objection must be signed by the staff member and will become part of his/her personnel file.
- 5) Lists of district employees' names, home addresses, phone and email will be considered directory information. All other information will be released only to governmental agencies as required for official reports.
- 6) If the school district receives Title I funds, the No Child Left Behind Act requires the district to provide parents with notice that they may request information about the professional qualifications of classroom teachers. The notice to parents must include the following:
  - a) Whether the teacher has met state qualifications for the grade levels and subject areas are taught
  - b) Whether the teacher is teaching under emergency or other provisional status;
  - c) The baccalaureate degree of the teacher and any other graduate certification or degree held by the teacher, and the subject area(s) of the certification or degree;
  - d) Whether the child is provided services by paraprofessionals, and, if so, their qualifications.

## **STAFF PERSONNEL/POLICES – Series 400**

### PERSONNEL RECORDS – 400.22

If a parent requests the above-listed information, the district is required to provide the information in a timely manner. If the district has hired a teacher who is not highly qualified and the teacher has taught a child for four or more weeks, the district is required to provide the parents notice that their child has been taught by a teacher who is not highly qualified.

LEGAL REF:

ARSD 24:03:04:12

Public Law 107-110 (No Child Left Behind Act of 2001)

The Americans with Disabilities Act

SDCL 60-4-12

## **STAFF PERSONNEL/POLICES – Series 400**

### PROFESSIONAL STAFF CONTRACTS AND COMPENSATION PLANS – 400.23

A teacher will be employed by the Board after a written contract is developed, signed by the teacher, the Board president, and the business manager.

The written contract will:

- 1) confirm a teacher's employment, and the salary for the ensuing year
- 2) specify the number of days of employment
- 3) specify additional compensation that will be afforded to the teacher for services rendered

The Board will annually review and set salaries for the Superintendent and other professional employees who are not members of a recognized collective bargaining unit. Otherwise, regularly employed professional staff members will be compensated on the basis of salary schedules established through negotiations with the Gayville-Volin Education Association.

Employee pay will be distributed bi-weekly on the 15<sup>th</sup> and the last day of the month. If either of these dates falls on a weekend or holiday, pay will be distributed on the last working day prior to the 15<sup>th</sup> or last day of the month.

## **STAFF PERSONNEL/POLICES – Series 400**

### EXIT SURVEY – 400.24

Staff and administration that leave the district will be required to do an exit interview with an administrator and board member to discuss the perceived strengths and weaknesses of the school system.

## **STAFF PERSONNEL/POLICES – Series 400**

### **PROFESSIONAL STAFF JURY LEAVE – 400.26**

Any certified staff member called for jury duty during school hours, or who is subpoenaed to testify in a hearing during school hours on a matter in which he or she is not a named party, will be granted leave with pay for the days or parts of days as such absence is required. The staff member may retain any payment as made by the court. The staff member will notify his or her supervisor as soon as practical to make the necessary arrangements for a substitute teacher when such leave must be taken.

Any classified staff member called for jury duty during school hours, or who is subpoenaed to testify in a hearing during school hours on a matter in which he or she is not a named party, will be granted leave with pay for the days or parts of days as such absence is required. Any per diem (excluding mileage, meals, or lodging) received for jury duty or the designated subpoena absence will be submitted to the business office or deducted from the regular salary. The staff member will notify his or her supervisor as soon as practical to make the necessary arrangements for a substitute when such leave must be taken.

LEGAL REF:       SDCL 16-13-41

## **STAFF PERSONNEL/POLICES – Series 400**

### MILITARY LEAVE OF ABSENCE – 400.27

#### Enlistment or Draft

A regular employee shall be granted a leave of absence for the purpose of entering the military service of the United States but not to exceed the enlistment draft or activation period.

Upon completion of the military service, the employee shall be entitled to reinstatement in the classification held, but subject to the following conditions:

- 1) that the classification for the position has not been abolished;
- 2) that the employee is qualified and capable of performing the duties of the classification;  
and
- 3) that the employee makes written application for reinstatement to the Superintendent within ninety (90) days after termination of military service;
- 4) that the employee submits an honorable discharge from military service.

The employee shall make applications on the regular leave of absence form to the Superintendent of Schools. The employee shall attach a copy of his/her military orders.

Any employee hired to replace an employee on active military duty shall not acquire tenure or a continuing contract right to the position served.

#### Annual Training

A leave of absence shall be granted for reservists for training purposes but not for a period exceeding a total of fifteen (15) days in any calendar year. Request should be made on the regular leave form and a copy of military orders shall be attached. It shall be within the discretion of the employer whether said leave may be with or without pay. Leaves for training when granted during the regular school year shall be granted without prejudice, but employees are encouraged to make arrangements to taking these training periods during the summer recess.



## **STAFF PERSONNEL/POLICES – Series 400**

### **CRISIS MANAGEMENT PLAN –400.28**

#### **LEVEL I**

Armed person in classroom or hallway. Imminent harm to themselves or others.

**Signal:** Interrupted Tone

**Response:** (in class)

- 1) Ask students to remain seated in classroom.
- 2) "Quick Look" check of hallway for passing students. Direct those students into your room.
- 3) Lock all doors.
- 4) Close blinds and turn off lights.
- 5) Wait for further announcement.
- 6) Report by intercom if medical assistance is needed.
- 7) If you observe a non-student (trespasser) or a perceived dangerous person, use the intercom to report the location, description, direction headed, possession of weapon type.
- 8) Do not use the intercom unless medical assistance is needed or reporting information.
- 9) These conditions stay in effect until the "All Clear" is given.

**Response:** (out of class)

- 1) Upon notice - faculty, staff, students go directly to the nearest room.
- 2) Follow steps from above.

**Contact authorities:**

- 1) 911
- 2) Fire department

**Secure the area**

**When incident is over:**

- 1) Convene the team to debrief
- 2) Prepare statement for media and communications
- 3) Contact parents of students involved or injured
- 4) Debrief staff members/classes
- 5) Evaluate response/process/improve plan

## **STAFF PERSONNEL/POLICES – Series 400**

### **CRISIS MANAGEMENT PLAN –400.28/P2**

#### **LEVEL II**

Gun in locker, classroom, bomb threat, and/or death of student/teacher on campus.  
No physical danger.

Signal: Use of intercom

Response: (in class and out of class)

- 1) Convene Crisis Team members in Principals office or other designated location.
- 2) Determine response plan and specific procedures.
- 3) Secure the area. Keep students away from affected area.
- 4) Contact appropriate agencies as necessary - 911, police, fire department.

Debrief the Crisis Team and create written response for communication purposes.

Debrief affected staff and students.

Debrief team when it has ended and review incident and plan for effectiveness.

#### **LEVEL III**

Tragic event off campus involving students or staff:

- 1) Communicate through the Phone Tree
  - a) Crisis Team is contacted first
  - b) Contact faculty/staff/office personnel/custodians/cafeteria personnel
- 2) Crisis Team meets as soon as possible
  - a) Develop plan
  - b) Create written response for any incoming calls
- 3) Faculty meets at 7:30 in the library
  - a) Faculty responsibilities
  - b) Guidance counselor(s), crisis team, and administration responsibilities

Crisis Team meets 7<sup>th</sup> period to evaluate situation.

Faculty meets at the end of the day.

Crisis Team meets to debrief, evaluate response, adjust plan to improve effectiveness.

## **STAFF PERSONNEL/POLICES – Series 400**

### **CRISIS MANAGEMENT PLAN –400.28/P3**

#### **Crisis Team Members**

Principal(s)  
Counselors  
School Board Member  
Superintendent  
Teachers (3) Middle School, High School, Elementary

#### **Principal's Role**

Keep staff informed  
Identify staff in need of help  
Designate a spokesperson to talk with the media

#### **Counselor's Role**

Set up counseling centers  
Contact additional counseling help  
Contact parents to provide continued support  
Contact parent(s) of the student(s)

#### **Teachers' Role**

Discuss in class  
Identify students in need of help  
Notify counselor of high-risk students  
Keep informed

#### **Teams' Role**

Verify info  
Write call tree statement  
Implement call tree  
Meet with staff  
Write statement for public

**STAFF PERSONNEL/POLICES – Series 400**

CRISIS MANAGEMENT PLAN –400.28/P3

**Steps for process**

- 1) Gather team
- 2) Verify facts
- 3) Write call tree statement
- 4) Implement call tree
- 5) Meet with the staff
- 6) Write a statement for the public
- 7) Check attendance

**Crisis Resource List**

Name – Telephone #

Superintendent: \_\_\_\_\_

School Psychologist: \_\_\_\_\_

Mental Health Clinic: \_\_\_\_\_

Police: \_\_\_\_\_

Rescue Squad: \_\_\_\_\_

Clergy: \_\_\_\_\_

Avera Sacred Heart Hospital: \_\_\_\_\_

**STAFF PERSONNEL/POLICES – Series 400**

CRISIS MANAGEMENT PLAN –400.28/P4

**Crisis Management Checklist**

1. Gathering Crisis Team Together

Crisis Team Members

Phone Number

Alt. Phone Number

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2. Checking the Facts of the Crisis

- Check the facts of the crisis using phone numbers listed above (number 1) if needed.
  - Know the details of the crisis
  - Contact all the necessary people

3. Handling the Media

- **NO** cameras will be allowed in the school building.

\_\_\_ Spokesperson appointed \_\_\_\_\_

\_\_\_ Alternative appointed \_\_\_\_\_

\_\_\_ People to handle the telephone \_\_\_\_\_

Message to be given over the telephone (Appendix A):

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**STAFF PERSONNEL/POLICES – Series 400**

CRISIS MANAGEMENT PLAN –400.28/P5

**Crisis Management Checklist, continued**

- \_\_\_\_\_ News Release developed (include- All members of the media are asked to show consideration for emotional welfare and education interest of the students by cooperating with the procedures of Gayville-Volin School.)
- \_\_\_\_\_ Establish time and location to meet media (include the media parameters (Appendix B))
- \_\_\_\_\_ Identify person to speak to concerned parents and visitors (Appendix B)

4. Announcing the Event to the School

How will you tell the staff?

Place and Time \_\_\_\_\_

Method of Contact (include telephone tree) \_\_\_\_\_

Person presiding \_\_\_\_\_

Who on staff should be told?

Teachers \_\_\_\_\_

Bus Drivers \_\_\_\_\_

Assistants & Interns \_\_\_\_\_

Cafeteria Workers \_\_\_\_\_

Custodians \_\_\_\_\_

Secretarial Staff \_\_\_\_\_

How will you announce the event to students?

Method of contact \_\_\_\_\_

Person(s) announcing \_\_\_\_\_

Place and Time \_\_\_\_\_

Written Announcement (Appendix C) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

5. Faculty Responsibilities

\_\_\_\_\_ Refer to the team for the announcement to the students

\_\_\_\_\_ Identify students in need of counseling

**STAFF PERSONNEL/POLICES – Series 400**

CRISIS MANAGEMENT PLAN –400.28/P6

**Crisis Management Checklist, continued**

- \_\_\_ Notify Guidance Office of number of students wanting counseling services.
- \_\_\_ Remove very distraught students from the class by having them escorted to guidance.
- \_\_\_ Discuss the crisis (list of suggestions is with each teacher)(Appendix C).
- \_\_\_ Postpone testing.
- \_\_\_ Involve class in constructive activities relating to the event.
- \_\_\_ Eliminate, shorten and structure assignments for a few days.

***DO NOT TALK TO THE MEDIA***  
***DO NOT ALLOW STUDENTS TO TALK TO THE MEDIA***

6. Guidance Office Responsibilities

\_\_\_ Identify individuals who can work with students

Name \_\_\_\_\_ Phone # \_\_\_\_\_

Name \_\_\_\_\_ Phone # \_\_\_\_\_

Name \_\_\_\_\_ Phone # \_\_\_\_\_

Name \_\_\_\_\_ Phone # \_\_\_\_\_

Name \_\_\_\_\_ Phone # \_\_\_\_\_

\_\_\_ Inform area schools so they can provide support for students affected in their schools.

\_\_\_ Maintain a list of students counseled

**STAFF PERSONNEL/POLICES – Series 400**

CRISIS MANAGEMENT PLAN –400.28/P7

**Crisis Management Checklist, continued**

- \_\_\_ Call parents of students counseled to provide continued support for the students who are very distressed.
  
- \_\_\_ Remove personal items form desks and lockers or do with parents
  
- \_\_\_ Establish areas and locations for counseling; assign locations (if other than the library)  
Name \_\_\_\_\_ Location \_\_\_\_\_  
Name \_\_\_\_\_ Location \_\_\_\_\_  
Name \_\_\_\_\_ Location \_\_\_\_\_  
Name \_\_\_\_\_ Location \_\_\_\_\_

7. Administrator Responsibilities

- \_\_\_ Assign extra secretarial help (for message see Appendix A)
  
- \_\_\_ Contact district personnel for assistance
  
- \_\_\_ Stop notifications on student activity from being sent home.  
(Families who are directly related to the crisis).
  
- \_\_\_ Rearrange seating, classes, programs, etc.  
Changes to be made \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  
- \_\_\_ Keep staff updated
  
- \_\_\_ Identify faculty and staff in need of counseling
  
- \_\_\_ Emphasize facts and squelch rumors
  
- \_\_\_ Remain highly visible



**STAFF PERSONNEL/POLICES – Series 400**

CRISIS MANAGEMENT PLAN –400.28/P8

**Crisis Management Checklist, continued**

- \_\_\_\_\_ Arrange for excused absences for those students attending off premises funeral.  
Announcement to school - include location and time \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
How many students and staff will be attending \_\_\_\_\_  
Area for staff and students not wishing to participate \_\_\_\_\_  
Any activities that need to be changed \_\_\_\_\_
  
- \_\_\_\_\_ Arrange for staff debriefing  
When and Where \_\_\_\_\_  
Person who will preside \_\_\_\_\_

## **STAFF PERSONNEL/POLICES – Series 400**

### **CRISIS MANAGEMENT PLAN –400.28/P9**

#### **Appendix A**

##### **Secretarial response to phone call inquiries**

(sample)

"Hello Gayville-Volin School this is\_\_\_\_\_, may I ask who is calling?" "How may I help you?"

(If the call is concerning the crisis, refer to the written statement made by the team).

## **STAFF PERSONNEL/POLICES – Series 400**

### **CRISIS MANAGEMENT PLAN –400.28/P10**

#### **Appendix B**

##### **Visitors Announcement**

(sample)

We feel saddened by the sudden death of one of our \_\_\_\_\_.  
We are concerned for our students and staff. Further questions are directed to the Superintendent's office. This handout will explain the parameters.

##### **Media Parameters**

To be handed out to all media, teachers, support staff, and any other individuals identified by the team.

The following media parameters shall be in effect during a crisis situation.

1. All media correspondence, news releases, interviews, etc., shall take place in a designated place outside of the school building(s) with the administration present.
2. NO students shall be interviewed within the school or on the school premises.
3. NO teachers or staff shall be interviewed except those who have been designated by the school administrator in charge.
4. NO cameras, video equipment, or recording devices shall be allowed within the school building(s).
5. All media questions shall be directed to the Superintendent or designee.
6. All official school district communications shall originate from the team with the approval of the administration.
7. All members of the media are required to display consideration for the emotional welfare and educational interest of all the students and school employees by following the media parameters listed above.

# STAFF PERSONNEL/POLICES – Series 400

## CRISIS MANAGEMENT PLAN –400.28/P10

### Appendix C

#### Principal(s) Announcement

(Example)

I feel saddened by the sudden death of one of our students, \_\_\_\_\_.  
On behalf of the entire faculty and student body, I wish to express our school's deepest sympathy to relatives and friends who knew and loved \_\_\_\_\_.

#### Teacher(s) Response

(Example)

I know it may be difficult for some of us to continue our work today. To help us deal with our feelings, the counselor along with the visiting counselors have set up areas throughout the school to assist those of us who need someone to talk to. Remember it is normal for us to feel sad and upset. Talking to someone helps us deal with these emotions. If you would like to speak to a counselor, you may meet with one.

(Example)

Today, I was notified that \_\_\_\_\_ died last night as a result of \_\_\_\_\_.  
Visitation for \_\_\_\_\_ will be \_\_\_\_\_ at the \_\_\_\_\_ Funeral Home.  
Services will be \_\_\_\_\_ at \_\_\_\_\_ Church. You and your parents should make the decision concerning attendance at the service. If you plan to attend, we recommend that a parent or an adult accompany you. Your parent(s) must notify the principal(s) office either by phone call or by a written note, for you to be released from school.

# **STAFF PERSONNEL/POLICES – Series 400**

CRISIS MANAGEMENT PLAN –400.28/P11

## **Appendix C**

### **Letter Home**

Dear Parent(s)

Today, the school district was notified of the \_\_\_\_\_  
who was a member of the \_\_\_\_\_.

This crisis impacts on all of us in differing ways. With this in mind, the school district has made arrangements to have additional counselors available at the school to provide counseling services to those students who are in need of, or desire services.

If you would like additional information about counseling services, please call the principal(s) at 267-4476.

You and your child(ren) need to make a decision concerning attendance at the church service. If your child(ren) plans to attend, we recommend that they be accompanied by you or another responsible adult.

The principal's office must be notified by either a parent's note or phone call, to release a child from school.

Thank you for your cooperation and understanding during this difficult time.

Sincerely,

Superintendent of Schools

## **STAFF PERSONNEL/POLICES – Series 400**

### **CRISIS MANAGEMENT PLAN –400.28/P12**

#### **Guidelines for Classroom Teachers**

##### Within the Classroom

Situation for children NOT adversely affected by the crisis.

- 1) Simply inform the students of the incident/crisis by telling them, or by reading announcement provided by the team.
- 2) In simple language, briefly comment in effect: "I'm sure we feel sad by the event." If anyone would like to talk with someone, please feel free to do so.
- 3) If students ask questions or want to talk about their feelings, it is advisable to let that happen for an appropriate time. During such discussion, some things you might include or consider are:
  - a) Don't control the discussion if students are expressing their feelings. Do limit discussion if feelings begin to build into a situation.
  - b) Avoid building or adding to emotions.
  - c) Reinforce the idea that people grieve in different ways.
  - d) Talk about what they can do with their feelings:
    - i. talk with friends
    - ii. talk with parents
    - iii. Encourage talking to yourself or school staff outside of class.
    - iv. Inform them that counselors are available
    - v. Give permission to visit the counselors at any time.
    - vi. Discuss what they can do to help each other.
    - vii. Dispel rumors, advise students how they should deal with information concerning the event/crisis.
    - viii. Send a student, who is upset, accompanied by a friend, to the counselor location.
  - e) Close discussion by reminding students of where to go to see someone personally.
  - f) State and reinforce the stability of the school routine.

For children ADVERSELY affected by the crisis.

- 1) If uncomfortable leading or facilitating students, contact your principal to arrange for a member of the crisis team or counseling team to visit your class.
- 2) Proceed as stated above.
- 3) Additional steps to be followed include:
  - a) Permit more time for sharing of feelings.
  - b) In the case where an immediate family is involved, talk with the students on how to respond when their classmate returns.
  - c) Encourage students to write letters or cards that can be delivered to the family.

## **STAFF PERSONNEL/POLICES – Series 400**

### **PROFESSIONAL STAFF VACATIONS AND HOLIDAYS – 400.29**

The school calendar, as adopted by the Board, will establish the school recess periods and holidays for all professional staff members employed on a school-year basis.

Except as holidays have been declared for the school district or vacation days have been scheduled, all professional staff members employed on a 12-month basis (260 work days per year) will be expected to work during the recess periods of the school year.

#### Vacations

All requests for vacation will be submitted to the Superintendent for approval. Vacation will be allowed provided they do not hinder the operation of the schools.

## **STAFF PERSONNEL/POLICES – Series 400**

### **FAMILY AND MEDICAL LEAVE (Professional Staff) – 400.30**

The District shall comply with the mandatory provisions of the Family and Medical Leave Act of 1993. The Superintendent shall administer leave policies adopted by the Board, setting forth the rights and procedures granted by the Act, and shall ensure compliance with those policies either personally, by delegation, or by some combination of personal oversight and delegation. An eligible employee must have been employed by the District for at least one thousand two hundred fifty (1,250) hours during the previous twelve (12) months.

LEGAL REF:           P.L. 103-3, “Family and Medical Leave Act of 1993.”



## **STAFF PERSONNEL/POLICES – Series 400**

### **FAMILY AND MEDICAL LEAVE (Professional Staff) – 400.30/P2**

An eligible employee is entitled to up to a combined total (paid and unpaid) of twelve weeks of FMLA Leave per year for:

- 1) For the birth and care of an employee's newborn child or for placement of a child with the employee for adoption or foster care;
- 2) To care for the employee's spouse, child, or parent who has a serious health condition, as defined by federal law;
- 3) For an employee's own serious health condition, as defined by federal law, that makes the employee unable to perform the employee's job;
- 4) To address a qualifying exigency (need) defined by federal regulation arising out of the active duty or call to active duty of a covered family member (spouse, son, daughter, parent or next of kin) who serves in a reserve component or as a retired member of the Regular Armed Forces or Reserve in support of a contingency operation; and
- 5) To care for a covered family member (spouse, son, daughter, parent or next of kin) who has incurred an injury or illness in the line of duty while on active duty in the Armed Forces that may render the family member medically unfit to perform duties of his/her office, grade, rank or rating.

The employee must first use and count all available accrued paid leave, including vacation, sick leave, and personal leave, before using the unpaid leave. During the period of FMLA Leave, the employee is entitled to the continuation of all fringe benefits. Employees will still earn sick days and vacation days while on FMLA Leave. The district will continue to pay its portion of the health insurance, and it will be the employee's responsibility to continue to pay for his or her portion. Upon return to work, the employee will be entitled to his or her same position or an equivalent position with equivalent pay, except that return to work during the last two (2) or three (3) weeks of a semester is subject to certain restrictions. See Special Rules below.

In the case of birth, adoption or foster placement, the FMLA Leave entitlement for child-care ends after: (1) the child reaches the age of one, or (2) 12 months after adoption or placement. FMLA Leave to care for a child would include leave for a stepparent or a person in loco parentis.

In cases where both spouses are employed by the District, the combined amounts (for both employees) of FMLA Leave for birth, adoption or foster placement, or family illness is limited to twelve (12) weeks. Personal illness is not limited to this combined total.

The District, at the request of the employee, may agree that the employee may take leave intermittently or on a reduced hour basis in connection with the birth, adoption or foster placement of a child. This is subject to the recommendations of the administrator or supervisor and is at the request of the employee.

## **STAFF PERSONNEL/POLICES – Series 400**

### **FAMILY AND MEDICAL LEAVE (Professional Staff) – 400.30/P3**

When FMLA Leave is in connection with birth, adoption or foster placement, and is foreseeable, the employee must provide at least thirty (30) day notice of the date when FMLA Leave is to begin. When FMLA Leave is in respect to family or employee illness that is foreseeable, the employee must make a reasonable effort to schedule treatment, including intermittent and reduced hour leave, so as to not unduly disrupt the operations of the District.

In case of employee illness, in addition to current sick leave policy requirements, the District may require the employee to provide certification by his or her health care provider that the employee is able to return to work and is able to meet the essential functions of the job.

If an employee fails to return to work after the leave period has expired, unless the absence is due to continued family or personal illness or other circumstances beyond the employee's control, the District will require the employee to reimburse the District's share of the health insurance premiums paid while the employee was on FMLA Leave.

#### Special Rules:

- 1) Rules Applicable to Instructors in Periods Near the Conclusion of an Academic Term (School Semester): The following rules apply to any employee who takes FMLA Leave under this policy and who is employed principally in an instructional capacity:
  - a) If FMLA Leave begins more than five (5) weeks before the end of an academic term, the principal may require the employee to continue taking leave until the end of that academic term if:
    - i. The leave is of at least three (3) weeks duration; and
    - ii. The return to work would occur during the three-week period before the end of
    - iii. the academic term.
  - b) If FMLA Leave begins within the five (5) weeks before the end of an academic term, the principal may require the employee to continue taking leave until the end of that term, if:
    - i. The leave is of more than two (2) weeks duration; and
    - ii. The return to work would occur during the three-week period before the end of the academic term.
- 2) If FMLA Leave begins within three (3) weeks before the end of the academic term, the principal may require the employees to continue taking leave until the end of that term, if the leave is for more than five (5) working days.

## **STAFF PERSONNEL/POLICES – Series 400**

### FAMILY AND MEDICAL LEAVE (Professional Staff) – 400.30/P4

- 3) If the school system requires a teacher to extend leave under these rules, the extended leave is counted against the teacher's FMLA Leave allotment. If the teacher's FMLA Leave allotment expires during the extension, the additional time is nevertheless deemed FMLA Leave.
- 4) Questions on these special rules should be addressed to the Superintendent or designee. The Superintendent or designee will work individually with an employee who wants to apply for FMLA Leave. FMLA request forms are available from the Business office.

LEGAL REF: P.L. 103-3, "Family and Medical Leave Act of 1993."

## **STAFF PERSONNEL/POLICES – Series 400**

### **EVALUATION OF PROFESSIONAL STAFF 400.31**

All professional staff will be evaluated using the procedure as outlined within. All teachers employed within the Gayville-Volin School District will be evaluated at least two times per year. Every teacher will have a final evaluation completed prior of the third nine weeks and completed on the form entitled “Evaluation of Professional Staff”. Evaluations will be presented by the Principal to the Superintendent.

#### **Evaluation Procedure:**

- 1) All staff members will receive periodic classroom observations using the form provided in policy and entitled, “Teacher Drop-In Evaluation Form”.
  - a) The form is a representation of an appropriate lesson presentation.
  - b) The minimum numbers of observations are based within policy and the maximum numbers of classroom observations are based upon observed deficiencies and not tenure or years of service.
  - c) The ratings are based upon a rubric narrative and ratings range from 1-3 with 1 being the lowest rating and 3 the highest.
  - d) Teachers with repeated deficiencies or low ratings will be placed on a plan of assistance.
  - e) The observation sheets are only one instrument used to determine employee renewal.
  - f) The Teacher Drop in Form shall be completed and presented to the teacher in a timely fashion from his/her supervisor. A copy of the form will be kept in the teacher’s permanent working file.
  - g) The signature of the teacher does not indicate approval or disapproval of the evaluation, but that the evaluation has been read and discussed.
  
- 2) Those areas where improvement is needed should be clearly stated and recommendations for improvement should be made. Subsequent evaluations should address any improvements or continuing difficulties that are observed. Staff members will receive a final evaluation using the form provided in policy. No later than the second Monday in April the Superintendent will present recommendations for employment for the following year based upon the evaluation instrument. A copy of the final evaluation will be shared with the teacher and a copy placed in the teachers’ permanent file.
  - a) The ratings are based upon a rubric narrative and include areas as defined by Charlotte Danielson’s “A Framework for Teaching” and adopted by the South Dakota Department of Education. The ratings range in degree from 0-3. With 3 being the highest rating.

## **STAFF PERSONNEL/POLICES – Series 400**

### **EVALUATION OF PROFESSIONAL STAFF 400.31/P2**

- b) Administrators will take into consideration all aspects of the employment environment when completing the final evaluation. The evaluation will include but is not limited to:
    - i. Classroom Interactions
    - ii. Extra-duty Responsibilities
    - iii. Peer Interactions
    - iv. Conferences with students, parents, teachers and administrators.
  - c) The signature of the teacher does not indicate approval or disapproval of the evaluation, but that the evaluation has been read and discussed.
  - d) Those areas where improvement is needed should be clearly stated and recommendations for improvement should be made. Subsequent evaluations should address any improvements or continuing difficulties that are observed.
- 3) The Superintendent or designee will present to the Board of Education, at the April meeting or before, the final recommendation for renewal.

# STAFF PERSONNEL/POLICES – Series 400

## EVALUATION OF PROFESSIONAL STAFF 400.31/P3

### EVALUATION OF PROFESSIONAL STAFF

#### PLANNING AND PREPARATION

#### LEVEL OF PERFORMANCE

COMPONENT	Exceeds Expectations - 3	Meets Expectations - 2	Needs Improvement - 1	Unsatisfactory - 0	Comments: Score
Demonstrating knowledge of content and Pedagogy	Teacher's knowledge of the content and pedagogy are extensive, showing evidence of a continuing search for improved practice. Teacher actively building on knowledge of prerequisites and misconceptions when describing instruction or seeking courses for student misunderstanding.	Teacher demonstrates solid understanding of the content standards and its prerequisite relationships and connections with other disciplines. Teacher's instructional practices reflect current pedagogical knowledge.	Teacher's content, understanding of the state standards and pedagogical knowledge represents basic understanding but does not extend to connections with other disciplines or to possible student misconceptions.	Teacher displays little understanding of the subject, the South Dakota Standards or of content-related pedagogy.	
Demonstrating Knowledge of Students	Teacher demonstrates thorough knowledge of students' backgrounds, skills, and interests, and uses this knowledge to plan for individual student learning.	Teacher demonstrates thorough knowledge of students' backgrounds skills, and interests, and uses this knowledge to plan for groups of students.	Teacher demonstrates partial knowledge of students' backgrounds, skills, and interests, and attempts to use this knowledge in planning for the class as a whole.	Teacher makes little or no attempt to acquire knowledge of students' backgrounds, skills or interests, and does not use such information in planning.	
Selecting Instructional Goals	Teacher's goals reflect high-level learning relating to curriculum frameworks and standards; they are adapted, where necessary, to the needs of individual students, and permit viable methods of assessment.	Teacher's goals represent valuable learning and are suitable for most students in the class; they reflect opportunities for integration and permit viable methods of assessment.	Teacher's goals are of moderate value or suitability for students in the class, consisting of a combination of goals and activities, <b>some</b> of which permit viable methods of assessment.	Teacher's goals represent trivial learning, are unsuitable for students, or are stated only as instructional activities, and they do not permit viable methods of assessment.	
Demonstrating Knowledge of Resources	Teacher seeks out resources for teaching in professional organizations and in the community, and is aware of resources available for students who need them, in the school, the district, and the larger community.	Teacher is fully aware of school and district resources available for teaching, and knows how to gain access to school and district resources for students who need them.	Teacher displays limited knowledge of school or district resources available either for teaching or for students who need them.	Teacher is unaware of school or district resources available either for teaching or for students who need them.	
Designing Coherent Instruction	All of the elements of the instructional design support the stated performance objective, engage students in meaningful learning, and show evidence of student input. Teacher's lesson or unit is highly coherent and has a clear structure.	Most of the elements of the instructional design support the performance objective and engage students in meaningful learning, and the lesson or unit has a clearly defined structure.	Some of the elements of the instructional design support the performance objective and engage students in meaningful learning, while others do not. Teacher's lesson or unit has a recognizable structure.	The various elements of the instructional design do not support the stated performance objective or engage students in meaningful learning, and the lesson or unit has no defined structure.	
Assessing Student Learning	Teacher's plan for student assessment is fully aligned with the state standards, containing clear assessment criteria and that are not only understood by students but also show evidence of student participation in their development. Teacher's students monitor their own progress in meeting or exceeding the standards.	Teacher's plan for student assessment is aligned with the state standards and the assessment criteria have been clearly communicated to the students. Teacher uses the assessment to plan for groups of students or individuals.	Teacher's plan for student assessment is partially aligned with the state standards and includes criteria that are not entirely clear or understood by students. Teacher uses the assessment to plan for future instruction for the class as a whole.	Teacher's approach to assessing student learning contains no clear criteria or standards, and lacks congruence with the instructional goals. Teacher has no plans to use assessment results in designing future instruction.	

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# STAFF PERSONNEL/POLICES – Series 400

## EVALUATION OF PROFESSIONAL STAFF 400.31/P4

### THE CLASSROOM ENVIRONMENT

### LEVEL OF PERFORMANCE

COMPONENT	Exceeds Expectations - 3	Meets Expectations - 2	Needs Improvement - 1	Unsatisfactory - 0	Comments: Score
Creating an Environment of Respect and Rapport	Classroom interactions are highly respectful, reflecting genuine warmth and caring toward individuals. Students themselves ensure maintenance of high levels of civility among members of the class.	Classroom interactions reflect general warmth and caring, and are respectful of the cultural and developmental differences among groups of students.	Classroom interactions are generally appropriate and free from conflict but may be characterized by occasional displays of insensitivity.	Classroom interactions, both between the teacher and students and among students, are negative or inappropriate and characterized by sarcasm, put-downs, or conflict.	
Establishing a Culture for Learning	Students assume much of the responsibility for establishing a culture for learning in the classroom by taking pride in their work, initiating improvements to their products, and holding the work to the highest standard. Teacher demonstrates a passionate commitment to the subject.	The classroom environment represents a genuine culture for learning, with commitment to the subject on the part of teacher and students, high expectations for student achievement, and student pride in work.	The classroom environment reflects only a minimal culture for learning, with only modest or inconsistent expectations for student achievement, little teacher commitment to the subject, and little student pride in work. Both teacher and students are performing at the minimal level to "get by."	The classroom does not represent a culture for learning and is characterized by low teacher commitment to the subject, low expectations for student achievement, and little student pride in work.	
Managing Classroom Procedures	Classroom routines and procedures are seamless in their operation, and students assume considerable responsibility for their smooth functioning.	Classroom routines and procedures have been established and function smoothly for the most part, with little loss of instruction time.	Classroom routines and procedures have been established but function unevenly or inconsistently, with some loss of instruction time.	Classroom routines and procedures are either nonexistent or inefficient, resulting in the loss of much instruction time.	
Managing Student Behavior	Student behavior is entirely appropriate, with evidence of student participation behavior. Teacher's monitoring of student behavior is subtle and preventive, and teacher's response to student misbehavior is sensitive to individual student needs.	Teacher is aware of student behavior, has established clear standards of conduct, and responds to student misbehavior in ways that are appropriate and respectful of the students.	Teacher makes an effort to establish standards of conduct for students, monitor student behavior; and respond to student misbehavior, but these efforts are not always successful.	Student behavior is poor; with no clear expectations, no monitoring of student behavior, and inappropriate response to student misbehavior.	
Organizing Physical Space	Teacher's classroom is safe, and students contribute to ensuring that the physical environment supports the learning of all students.	Teacher's classroom is safe, and learning is accessible to all students; teacher uses physical resources well and ensures that the arrangement of furniture supports the learning activities.	Teacher's classroom is safe, and essential learning is accessible to all students, but the furniture arrangement only partially supports the learning activities.	Teacher makes poor use of the physical environment, resulting in unsafe or inaccessible conditions for some students or a serious mismatch between the furniture arrangement and the lesson activities.	

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# STAFF PERSONNEL/POLICES – Series 400

## EVALUATION OF PROFESSIONAL STAFF 400.31/P5

### INSTRUCTION

### LEVEL OF PERFORMANCE

COMPONENT	Exceeds Expectations - 3	Meets Expectations - 2	Needs Improvement - 1	Unsatisfactory - 0	Comments: Score
Communicating Clearly and Accurately	Teacher's oral and written communication is clear and expressive, anticipating possible student misconceptions.	Teacher communicates clearly and accurately to students, both orally and in writing.	Teacher's oral and written communication contains no errors, but may not be completely appropriate or may require further explanations to avoid confusion.	Teacher's oral and written communication contains errors or is unclear or inappropriate to students.	
Using Questioning and Discussion Techniques	Students formulate many of the high-level questions and assume responsibility for the participation of all students in the discussion.	Teacher's use of questioning and discussion techniques reflects high-level questions, true discussion, and full participation by all students.	Teacher's use of questioning and discussion techniques is uneven, with some high-level questions, attempts at true discussion, and moderate student participation.	Teacher makes poor use of questioning and discussion techniques, with low-level questions, limited student participation, and little true discussion.	
Engaging Students in Learning	Students are highly engaged throughout the lesson and make material contributions to the representation of content, the activities, and the materials. The structure and pacing of the lesson allow for student reflection and closure.	Students are intellectually engaged throughout the lesson, with appropriate activities and materials, instructive representations of content and suitable structure and pacing of the lesson.	Students are intellectually engaged only partially, resulting from activities or materials of uneven quality, inconsistent representations of content or uneven structure or pacing.	Students are not at all intellectually engaged in significant learning, as a result of inappropriate activities or materials, poor representations of content, or lack of lesson structure.	
Providing Feedback to Students	Teacher's feedback to students is timely and of consistently high quality, and students make use of the feedback in their learning.	Teacher's feedback to students is timely and of consistently high quality.	Teacher's feedback to students is uneven, and its timeliness is inconsistent.	Teacher's feedback to students is of poor quality and is not given in a timely manner.	
Demonstrating Flexibility and Responsiveness	Teacher is highly responsive to students' interests and questions, making major lesson adjustments if necessary, and persists in enduring the success of all students.	Teacher seeks ways to ensure successful learning for all students, making adjustments as needed to instruction plans and responding to student interests and questions.	Teacher demonstrates moderate flexibility and responsiveness to students' needs and interests during a lesson, and seeks to ensure the success of all students.	Teacher adheres to the instruction plan in spite of evidence of poor understanding or of students' lack of interest, and fails to respond to students' questions; teacher assumes no responsibility for students' failure to understand.	

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# STAFF PERSONNEL/POLICES – Series 400

## EVALUATION OF PROFESSIONAL STAFF 400.31/P6

### PROFESSIONAL RESPONSIBILITIES

### LEVEL OF PERFORMANCE

COMPONENT	Exceeds Expectations - 3	Meets Expectations - 2	Needs Improvement - 1	Unsatisfactory - 0	Comments: Score
Reflecting on Teaching	Teacher's reflection on the lesson is highly accurate and perceptive, citing specific examples. Teacher draws on an extensive repertoire to suggest alternative strategies.	Teacher reflects accurately on the lesson, citing general characteristics and makes some specific suggestions about how it might be approved.	Teacher's reflection on the lesson is generally accurate, and teacher makes global suggestions as how it might be improved.	Teaching does not reflect accurately on the lesson or propose ideas as to how it might be improved.	
Maintaining Accurate Records	Teacher's system for maintaining accurate records is efficient and effective, and students contribute to its maintenance	Teacher's system for maintaining accurate records is efficient and effective.	Teacher's system for maintaining accurate records is rudimentary and only partially effective.	Teacher has no system for maintaining accurate records, resulting in errors and confusion.	
Communicating with Families	Teacher communicates frequently and sensitively with families and successfully engages them in the instruction program; students participate in communicating with families.	Teacher communicates frequently with families and successfully engages them in the instruction program.	Teacher complies with school procedures for communicating with families and makes an effort to engage families in the instruction program.	Teacher provides little or no information to families and makes no attempt to engage them in the instruction program.	
Contributing to the School and District	Teacher makes a substantial contribution to school and district events and projects, assuming leadership with colleagues.	Teacher participates actively in school and district projects, and maintains positive relationships with colleagues.	Teacher's relationships with colleagues are cordial, and teacher participates in school and district events and projects when specifically requested.	Teacher's relationships with colleagues are negative or self-serving, and teacher avoids being involved in school and district projects.	
Growing and Developing Professionally	Teacher makes a substantial contribution to the profession through such activities as action research and mentoring new teachers, and actively pursues professional development.	Teacher participates actively in professional development activities and contributes to the profession.	Teacher's participation in professional development activities is limited to those that are convenient.	Teacher does not participate in professional development activities, even when such activities are clearly needed for the development of teaching skills.	
Showing Professionalism	Teacher assumes a leadership position in ensuring that school practices and procedures ensure that all students, particularly those traditionally underserved, are honored in the school.	Teacher makes genuine and successful efforts to ensure that all students are well served by the school.	Teacher's attempts to serve students based on the best information are genuine but inconsistent.	Teacher's sense of professionalism is low, and teacher contributes to practices that are self-serving or harmful to students.	
Laws, Policies Procedures	Teacher clearly understands and supports the rules, policies, state statutes and/or procedures that are needed in a school district. The teacher assumes a leadership position in ensuring that the policies are fair and just to all staff members and employees.	Teacher understands and follows district rules, policies, state statutes and procedures needed for the smooth running of the school and the school district.	Teacher understanding or applications of the districts rules, policies, state statutes and/or procedures, needs to improve.	Teacher knowingly violated the district rules, policies, state statutes and/or procedures of the school district.	

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**STAFF PERSONNEL/POLICES – Series 400**

EVALUATION OF PROFESSIONAL STAFF 400.31/P7

ANNING AND PREPARATION (15)

THE CLASSROOM ENVIRONMENT (18)

INSTRUCTION (15)

PROFESSIONAL RESPONSIBILITIES (21)

ADMINISTRATOR: \_\_\_\_\_  
\_\_\_\_\_

TEACHER:

DATE: \_\_\_\_\_ RECOMMENDATION  PROGRESSING  RENEWAL   
NON-RENEWAL

# STAFF PERSONNEL/POLICES – Series 400

EVALUATION OF PROFESSIONAL STAFF 400.31/P8

## Teacher Drop-In Evaluation Form

Teacher: \_\_\_\_\_ Administrator: \_\_\_\_\_ Class/Lesson: \_\_\_\_\_ Date: \_\_\_\_\_

Performance	1	2	3	Comments
<b>Provides Anticipatory Set (Opening)</b>	<input type="checkbox"/> There is no tie in to the previous lesson or activity. Objectives are unclear; students do not know what to expect.	<input type="checkbox"/> The teacher gets students' attention prior to the lesson. Students know the objectives but are not "hooked."	<input type="checkbox"/> The teacher has a strong opening, getting students anticipated & ready for the lesson. Objectives are clear.	
<b>Evidence of Good Planning</b>	<input type="checkbox"/> The teacher lacks organization. He/she is unprepared ("winging it") to teach the lesson.	<input type="checkbox"/> Lesson plans are completed on time. The lesson is well thought out, but preparation (materials) is lacking.	<input type="checkbox"/> The teacher is very organized & prepared for the lesson. Materials & resources are ready and well used.	
<b>Varied Teaching Styles</b>	<input type="checkbox"/> The teacher sticks to one kind of teaching style throughout the entire lesson.	<input type="checkbox"/> The teacher attempts to change his/her teaching style throughout the lesson. Changes are infrequent.	<input type="checkbox"/> The teacher uses a variety of teaching styles in one lesson reaching the majority of the students.	
<b>Varied Questioning Techniques</b>	<input type="checkbox"/> The teacher asks some questions during the lesson. However, most questions are same-level & involve only a few students.	<input type="checkbox"/> The teacher asks a variety of good questions. Most, but not all, students are involved in discussion.	<input type="checkbox"/> The teacher gets all students thinking about the content by using a variety of questions from lower level to higher level questions.	
<b>Actively Engages Students</b>	<input type="checkbox"/> Instead of being interactive and involved, the majority of the students are passive throughout the lesson.	<input type="checkbox"/> The lesson is mostly teacher-led. Students have some involvement but could play a larger role in their learning.	<input type="checkbox"/> The students are part of the lesson, participating & following along. Students are engaged & motivated.	
<b>Controlled Classroom Environment</b>	<input type="checkbox"/> Students are not clear on their expectations; teacher has little control over student behavior.	<input type="checkbox"/> Students are clear of most expectations. Some inconsistencies create disruptions however.	<input type="checkbox"/> All expectations are clear; the class moves along steadily with ease. Transitions flow nicely.	
<b>Demonstrates Knowledge of Content</b>	<input type="checkbox"/> The teacher lacks confidence in the material; he/she relies exclusively on text or other resources.	<input type="checkbox"/> The teacher has a decent understanding of the material.	<input type="checkbox"/> The teacher speaks of the material with complete confidence and competence.	
<b>Provides Closure to Lesson</b>	<input type="checkbox"/> The teacher provides no closure to the lesson.	<input type="checkbox"/> The lesson is loosely closed; the teacher could better check for understanding.	<input type="checkbox"/> The teacher has a strong closure to the lesson. He/she checks for understanding.	

**STAFF PERSONNEL/POLICES – Series 400**

EVALUATION OF PROFESSIONAL STAFF 400.31/P9

Additional comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date of sit-down visit to discuss drop-in (if applicable): \_\_\_\_\_

Teacher Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Administrator Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## **STAFF PERSONNEL/POLICES – Series 400**

### PROFESSIONAL STAFF PROBATION AND TENURE – 400.32

#### Non-continuing Contract:

Teachers will serve a three-year probationary period.

Teachers in the first three years of employment must receive written notice of non-renewal before April 15, via registered mail or hand delivery with witness.

#### Continuing Contract:

A teacher or administrator who is in or beyond the fourth full term of employment will receive a contract from the Board on or before the first day of May and will have 15 days to sign and return the contract.

#### Non-Renewal, Continuing Contract:

### **Notice of Intent**

Prior to April 15th, a professional staff employee, who will not receive a continuing contract, will receive a written notice of intent from either the Board, or from the Superintendent.

In accordance with law, failure of the Board or Superintendent to give proper notice at proper time will constitute an offer of employment. Mailed notices will require return receipt card and notices delivered by hand will be witnessed or receipted.

Upon written request by the teacher, the Board or the Superintendent will: (1) make available to the teacher his/her personal evaluation file; (2) advise teacher in writing of reason(s).

LEGAL REF: SDCL 13-43-6.1; 13-46-1

CROSS REF: GCD, Professional Staff Hiring

**STAFF PERSONNEL/POLICES – Series 400**

PROFESSIONAL STAFF PROBATION AND TENURE – 400.32/P2

Non-renewal Non-continuing Contract:

Recommended format of written notice:

“You are hereby notified that you will not be re-employed by the Gayville-Volin School District for the coming school year.”

DATE: \_\_\_\_\_ SIGNED: \_\_\_\_\_  
(President, School Board)

Non-renewal Continuing Contract:

Notice of Intent – recommended format of written notice:

If delivered by Superintendent: “You are hereby notified pursuant to SDCL 13-43-6.1-6.6 that it is my intention not to recommend you to the Board of Education for re-employment for the coming school year. You are entitled to the statutory provision of SDCL 13-43-6 governing continuing contract.”

DATE: \_\_\_\_\_ SIGNED: \_\_\_\_\_  
(Superintendent)

If delivered by Board: “You are hereby notified pursuant to SDCL 13-43-6 that It is the intent of the Gayville-Volin School District not to renew your contract for the coming school year. You are entitled to the statutory provision of SDCL 13-43-6 governing continuing contract.”

DATE: \_\_\_\_\_ SIGNED: \_\_\_\_\_  
(President, School Board)

Notice of Determination – Recommended format of written notice:

“You are hereby notified pursuant to SDCL 13-43-6 that the School Board of Gayville-Volin School District has determined to the statutory contract for the coming school year. You are entitled to the statutory provision of SDCL 133-43-6 governing continuing contract.”

DATE: \_\_\_\_\_ SIGNED: \_\_\_\_\_  
(President, School Board)

## **STAFF PERSONNEL/POLICES – Series 400**

### PROFESSIONAL STAFF PROBATION AND TENURE HEARING – 400.32/P3

#### Hearing Procedures

If a continuing teacher requests a hearing after receiving notice by the Board of its determination not to renew his/her contract, the hearing must be held within 14-45 days after the teacher's request.

Before the hearing the teacher may again request his/her personal evaluation file and the reasons for his/her non-renewal in writing.

The Board's designated spokesman will begin the hearing by introducing the Board, counsel, party, etc., and by stating the purpose of the hearing.

The statements of reasons for non-renewal should be given orally. These will be the same as the written reasons previously given, but they may be more specific.

The Superintendent will present the case for non-renewal. Evidence must be relevant. Comparisons will not be made with other faculty members. Witnesses need not be sworn in. The teacher has the right to cross-examine.

The teacher will then present his/her case. Evidence may include a prepared statement (which is read), witnesses, letters, etc., and should be limited to relevant evidence. The Superintendent may cross-examine.

Upon the presentation of both cases, the Board will hold an executive session without the Superintendent, teacher or counsel present.

After weighing the evidence and making a determination, the Board will reconvene in a public meeting.

## **STAFF PERSONNEL/POLICES – Series 400**

### **PROFESSIONAL STAFF ASSIGNMENTS AND TRANSFERS – 400.33**

Professional personnel will be assigned on the basis of their qualifications and the needs of the school district.

The assignment and transfer of teachers to positions in the district will be made by the Superintendent giving consideration, but not limited to the following criteria:

- 1) The contribution that the teacher would make to students.
- 2) The qualifications of the teacher as compared to those of other candidates for the position to be filled.
- 3) The opportunity for professional growth.
- 4) The desire of the teacher regarding the new assignment.
- 5) The length of service in the school district.
- 6) The availability of a qualified replacement for the position vacated by the transferring teacher.

Any teacher who desires a transfer in assignment should request such a transfer in writing to the principal with a copy to the Superintendent. Every effort will be made to honor this request.

If a change of assignment is deemed necessary by the Board, then the new assignment will be as nearly similar to the desired assignment as possible.



## **STAFF PERSONNEL/POLICES – Series 400**

### **REDUCTION IN PROFESSIONAL STAFF WORK FORCE – 400.34**

#### **STAFF REDUCTION**

In the event the Board determines that a staff reduction is necessary, the following procedures will apply:

- 1) The effort will be made to effect the reduction through normal attrition.
- 2) If a position of a continuing contract teacher is terminated due to staff reduction, the Board will determine which continuing contract teacher or teachers are to be released using the following criteria, as applicable. This criterion is not necessarily in order of importance:
  - a) Student needs
  - b) Financial condition of district
  - c) Priority evaluation records
  - d) Competency
  - e) Qualifications
  - f) Certification
  - g) Longevity
  - h) Educational background
  - i) Federal mandates
  - j) Other relevant considerations

The Board will provide the continuing contract teacher who has been notified that his/her position has been eliminated with a list of those positions described in steps 1 and 2 above. The list should accompany the letter of intent.

In making staff reductions involving professional staff members on continuing contract status, the Board also will follow the provisions of state law.

## **STAFF PERSONNEL/POLICES – Series 400**

### **REDUCTION IN PROFESSIONAL STAFF WORK FORCE – 400.34/P2**

#### **RECALL**

For the purpose of this policy, the effective date of a lay-off by reduction in force shall be June 30. If, during the first fiscal year subsequent to the time a continuing teacher is laid off because of reduction in staff, a vacancy occurs in the grade, subject areas and activities in which a laid-off teacher had been teaching or is qualified to teach, re-employment shall be extended to the teacher in reverse order of lay-off. When more than one staff member has the same recall date and is qualified for the open position the Board may consider, among other things, recommendations of administrative staff, qualifications, years of service and educational background in selecting the person to be hired. A recalled teacher shall retain previously accumulated sick leave benefits.

Recall privileges cease when a staff member resigns or fails to report within 20 calendar days after the mailing of a written notice of recall. Such notice shall be sent by certified mail to the last known address. The 20-day period shall commence to run on the day the notice is mailed. Recall privileges will not apply to teachers under contract with another school district unless that recall is for anticipated positions in the ensuing year.

LEGAL REF:           SDCL 13-10-11  
                              13-43-9.1  
                              13-43-10 through 13-43-10.2  
                              13-43-12

## **STAFF PERSONNEL/POLICES – Series 400**

### RESIGNATION OF PROFESSIONAL STAFF MEMBERS – 400.35

If a professional staff member intends to resign from his/her position, notice must be given to the Board at the time of contract renewal. Should a professional staff member resign at a time other than that of contract renewal, Board approval will be required to dissolve the contract. The professional staff member may be required to pay liquidation damages to be released.

LEGAL REF:           SDCL 13-43-9.1  
                              13-43-10  
                              13-43-10.1  
                              13-43-10.2

## **STAFF PERSONNEL/POLICES – Series 400**

### RETIREMENT OF PROFESSIONAL STAFF MEMBERS – 400.36

#### Retirement System

All regularly employed professional staff members are participants in the State Retirement System.

#### Retirement Age

The Board may not impose a mandatory retirement age on employees.

The Board reserves the right to retire an employee if the employee is unable to satisfactorily perform the duties of his/her position due to poor health or disability.

LEGAL REF:           SDCL 3-12-46 et seq.  
                          13-10-4  
                          13-10-6 through 13-10-8  
                          Age Discrimination in Employment Law,  
                          P.L. 95-592, as amended in Oct., 1986.

## **STAFF PERSONNEL/POLICES – Series 400**

### **SUSPENSION AND/OR DISMISSAL OF PROFESSIONAL STAFF MEMBERS – 400.37**

Employment and dismissal of professional staff members is the responsibility of the Board and dismissal will conform to the conditions and procedures specified in state law.

A contract of may be terminated at any time, or non-renewed in the case of continuing contract status, for just cause including:

- 1) plain violation of contract
- 2) gross immorality
- 3) incompetency or neglect of duty
- 4) poor performance
- 5) unprofessional conduct
- 6) insubordination
- 7) violation of any policy or regulation of the school district
- 8) neglect

The Superintendent will give notice of the intent to recommend termination. The notice must specify the grounds for the recommendation, and inform the right to request a hearing.

After the hearing, or if a hearing is not requested, the Board will make its determination by majority vote in open session. Any order of termination of contract will state the grounds for termination

#### **Suspension**

The Board may suspend a teacher pending final action to terminate his/her contract if, in its judgment, the character of the charges warrants such action.

LEGAL REF:           SDCL 13-43-6.1 through 6.9.

## **STAFF PERSONNEL/POLICES – Series 400**

### TUTORING FOR PAY -400.38

To assure all students reasonable instructional assistance without charge from their own teachers, and to avoid placing a teacher in a position where he may have a conflict of interest, teachers will not be permitted to receive money for tutoring any student they have in class or upon whose evaluation or assignment they will be called upon to pass.

Teachers may not tutor any student for pay during their regular working hours or on school premises.

CROSS REF:           GBCA: Staff Conflict of Interest

## **STAFF PERSONNEL/POLICES – Series 400**

### **STAFF PARTICIPATION IN POLITICAL ACTIVITIES – 400.39**

The Board recognizes that employees of the district have the same fundamental civic responsibilities and privileges as other citizens, including campaigning for elective public office(s) and holding an elective or appointive public office.

Any employee who intends to campaign for an elective public office will notify the Superintendent, in writing. This notice will include his/her wishes to continue employment and under what terms and conditions.

The Superintendent will meet with the employee involved and will present a proposed solution to the Board for consideration.

In connection with the campaign, no employee will use school system facilities, equipment, or supplies; nor will the employee discuss the campaign with students or with personnel during the working day; nor will the employee use any time during the working day for campaigning purposes.

A teacher seeking an extended leave of absence for campaigning, holding office, or other time-consuming service will apply for such leave in writing. The Board will provide to the teacher with a written answer to the request for political leave, which will include salary arrangements.

If not elected, the employee may return to the position previously held.

LEGAL REF:           SDCL 13-43-15.1

## **STAFF PERSONNEL – Series 400**

### **PART-TIME AND SUBSTITUTE PROFESSIONAL STAFF EMPLOYMENT – 400.40**

#### Part-Time Teachers

Upon the recommendation of the Superintendent, the Board will approve or reject the employment of part-time teachers consistent with the needs of the school district.

A part-time certified teacher, if employed for the full school term will attain continuing contract status the same as a full-time teacher.

Part-time teachers will meet all necessary certification requirements, and any non-unit part-time teachers will be compensated for their work on a pro-rated basis commensurate with their placement on their salary schedule.

#### Substitute Teachers

The employment of substitute teachers will be centralized in the Superintendent's office. The Board will set the daily rate of pay for substitute teachers, including extended-term substitutes. The latter will be granted such additional benefits as approved by the Board.

Principals will assume responsibility for the scheduling of substitutes from the approved list as needed.



## STAFF PERSONNEL/COMPLAINTS AND GRIEVANCES – Series 400

### GRIEVANCE PROCEDURE – 401.1

#### Definitions:

- A. A “grievance” is a complaint by a person or group of persons employed by the Gayville-Volin School District #63-1, made either individually or by a duly authorized and recognized employee association through its representative, that there has been a violation, misinterpretation, or inequitable application of any existing agreement, contract, policy, rule, or regulation of the School Board. Negotiation for, or a disagreement over, a non-existing agreement, contract, policy, rule, or regulation is not a “grievance.”
- B. An “aggrieved person” is the person or group of persons filing the grievance.
- C. “Days” shall mean calendar days unless otherwise specified.

#### Article II

#### Purpose:

The purpose of this procedure is to secure, at the lowest possible level, equitable solutions to the problem(s).

#### Article III

#### Procedure:

- A. The number of days indicated at each level shall be the maximum.
- B. If appropriate action is not taken by the employee within the time limit specified, the grievance will be deemed settled on the basis of the disposition at the preceding level. The time limits specified herein may be extended by mutual agreement, provided time extension is requested within the time limits provided in the Article.
- C. If an employee does not file a grievance in writing with the principal or other supervisor within 10 calendar days after the employee knew, or should have known, of the act or condition on which the grievance is based, the grievance shall be considered as having been waived.
- D. A supply of the grievance forms shall be on file in the business office.

## **STAFF PERSONNEL/COMPLAINTS AND GRIEVANCES – Series 400**

### GRIEVANCE PROCEDURE – 401.1/P2

#### Article IV

##### Informal Procedures:

If an employee feels he/she has a grievance, he/she shall first discuss the matter with his/her administration.

#### Article V

##### Formal Procedures:

##### LEVEL ONE – Administration

- A. If an aggrieved person is not satisfied with the disposition of his/her problem through informal procedures, he/she shall submit his/her grievance in writing.
- B. Signed copies of the written grievance(s) shall be delivered by the employee to the administration and the president of the School Board.
- C. The administrator, within five days of the filing of the grievance shall render his/her decision in writing to the aggrieved person.

##### LEVEL TWO – Superintendent

- A. If an aggrieved person or the Board is not satisfied with the decision concerning the grievance at Level One, or no written decision is rendered within five days, he/she shall submit his/her grievance in writing to the Superintendent within three days.
- B. The Superintendent shall meet with the aggrieved person(s) for a resolution within five days of the filing.
- C. The Superintendent shall, within five days after this meeting render his/her decision in writing to the aggrieved person.

##### LEVEL THREE – Board of Education

- A. If the aggrieved person or the Board is not satisfied with the disposition of the grievance at LEVEL TWO, or if no written decision has been rendered within five days, he/she shall resubmit the grievance to the business manager and the president of the Board within five days.

## **STAFF PERSONNEL/COMPLAINTS AND GRIEVANCES – Series 400**

### GRIEVANCE PROCEDURE – 401.1/P3

- B. At its next meeting, or at a time mutually agreed upon by the parties, the Board or its designated agent shall hold a hearing on the grievance(s). The decision of the Board shall be rendered in writing within five days after the hearing.

#### LEVEL FOUR

If the grieved person is not satisfied with the disposition of the grievance at Level Three or if no written decision has been rendered within the time period set forth in the preceding paragraph, he/she may, within 10 days after receipt of the written decision is due, whichever is earlier, appeal to the Department of Labor, pursuant to statute. The inclusion of this paragraph in this grievance procedure shall not constitute a waiver by either party of its rights to dispute the authority of the Department of Labor to hear the appeal and/or render any particular decision.

#### Article VI

##### Miscellaneous:

- A. If, in the course of investigation of any grievance by representatives of the complainant, such investigation requires their presence in the school, they shall report immediately to the principal and state the purpose of the visit.
- B. Interruption of regularly assigned classes or activities shall be avoided. Students shall not be included in any phase of the grievance procedure except with the mutual consent of both parties.
- C. Any party or parties in interest shall appear and may be represented at formal Levels One and Two of the grievance procedure by one representative. When the representative is not a member of the employee organization, the employee organization shall have the right to have one spokesperson present to state its views at the formal Levels One and Two of the grievance procedure except when the aggrieved person specifically requests the exclusion of all but the parties in interest and their respective representatives. At Level Three a maximum of three representatives, one of whom will be the spokesperson, may represent the aggrieved person or persons involved in a grievance.

## **STAFF PERSONNEL/COMPLAINTS AND GRIEVANCES – Series 400**

### **GRIEVANCE PROCEDURE – 401.1/P4**

- D. If, in the judgment of the employee organization a grievance affects a group or class of employees, the organization may submit such grievance in writing to the Superintendent directly and the processing of such a grievance shall be commenced at Level Two. The employee organization shall designate not more than two spokespersons for the organization in processing such a grievance through the remaining levels of the grievance procedure. However, the employee organization shall not be permitted to file or process a grievance with respect to an incident or occurrence on which an employee or group has already initiated a grievance.
  
- E. Meetings and hearings under this procedure shall be conducted in private and shall include such parties and only such parties in interest and their designated or selected representatives heretofore referred to in this grievance procedure. The vote on the Board's decision on Level-Three grievance shall be made in open session but the name of the aggrieved party shall not be disclosed.
  
- F. The Superintendent's office shall notify the party or parties in interest, the principals or immediate supervisor, and the party or parties. The party or parties will be released without loss of pay for such time as their attendance is required.

The aggrieved person and the administrative representative may call witness(es) to present relevant evidence at all hearings. The Board may request that other witnesses be called for questioning by the parties.

## **STAFF PERSONNEL/COMPLAINTS AND GRIEVANCES – Series 400**

### **GRIEVANCE FORMS – 401.2**

The Board will encourage the administration to develop effective means for resolving differences that may arise among employees and between employees and administrators; reduce potential areas of grievances; and establish and maintain recognized channels of communication between the staff, administration, and the Board.

Grievance procedures should provide for prompt and equitable adjustment of differences at the lowest possible administrative level, and each employee should be assured opportunity for an orderly presentation and review of complaints and concerns. Channels established will provide for the following:

- 1) That teachers and other employees may appeal a ruling of the principal or other administrator to the Superintendent.
- 2) That all school employees may appeal a ruling of a Superintendent to the Board.

The machinery established for the resolution of grievances in agreements negotiated with recognized employee bargaining units will apply only to “grievances” as defined in the particular agreement.

LEGAL REF:           SDCL 3-18-1-3-18-1.1  
                              3-18-15 through 3-18-15.3

CONTRACT REF:   Teachers’ Agreement; Non-Teaching Employees’ Agreement

## **STAFF PERSONNEL/COMPLAINTS AND GRIEVANCES – Series 400**

### **GRIEVANCE FORMS – 401.2/P2**

#### **ARTICLE 2**

This hereby recognizes the Association according to South Dakota Law dealing with negotiations: Section 3-18-3, which states Exclusive Representation by Designated Representatives Right to Adjust Grievances Preserved. Representatives designated or selected for the purpose of formal representation by the majority of the employees in a unit appropriate for such purposes shall be the exclusive representatives of all the employees of such unit for the purpose of representation in conditions of employment; provided that any individual employee, or group of employees, shall have the right at any time to present grievances to their employer and to have such grievances adjusted without the intervention of the formal representative as long as the adjustment is not inconsistent with the terms of any settlement with the formal representative then in effect, and provided that the formal representative has been given opportunity to be present at such adjustment.

**STAFF PERSONNEL/COMPLAINTS AND GRIEVANCES – Series 400**

GRIEVANCE FORMS – 401.2/P3

**Request for Settlement of Grievances**

LEVEL ONE

(To be completed by aggrieved person)

Date of Grievance:

Name of Aggrieved Person:

Home address:

School:

Principal:

NATURE OF GRIEVANCE:

SETTLEMENT REQUESTED:

Signed \_\_\_\_\_  
Aggrieved Person

**STAFF PERSONNEL/COMPLAINTS AND GRIEVANCES – Series 400**

GRIEVANCE FORMS – 401.2/P4

**Reply to LEVEL ONE Grievance**

Date Reply sent to Aggrieved Person:

Name of Aggrieved Person:

Home Address:

School:

Date of presentation of grievance to Principal:

Decision of Principal:

Signed \_\_\_\_\_  
Principal



**STAFF PERSONNEL/COMPLAINTS AND GRIEVANCES – Series 400**

GRIEVANCE FORMS – 401.2/P5

**Request for Settlement of Grievance**

LEVEL TWO

Copies of Request for Settlement of Grievance LEVEL ONE and Reply must be attached.

Date of presentation to Superintendent:

Name of Aggrieved Person:

Home Address:

School:

Date of reply to LEVEL ONE Grievance:

State reasons for submission of grievance to LEVEL TWO:

Settlement requested:

Signed \_\_\_\_\_  
Aggrieved Person

**STAFF PERSONNEL/COMPLAINTS AND GRIEVANCES – Series 400**

GRIEVANCE FORMS – 401.2/P6

**Reply to LEVEL TWO Grievance**

Copies of Request for Settlement of Grievance LEVEL ONE and Reply must be attached.

Date Reply sent to Aggrieved Person:

Name of Aggrieved Person:

Home Address:

School:

Date of submission of Grievance to Superintendent:

Decision of Superintendent:

Signed \_\_\_\_\_  
Superintendent

**STAFF PERSONNEL/COMPLAINTS AND GRIEVANCES – Series 400**

GRIEVANCE FORMS – 401.2/P7

**Request for Settlement of Grievance**

LEVEL THREE

Copies of all previous Requests for Settlement and Replies must be attached.

Date of submission to Business Manager:

Name of Aggrieved Person:

Home Address:

School:

Date of Reply of Superintendent to LEVEL TWO Grievance:

State Reason for submission of Grievance to LEVEL THREE:

Settlement Requested:

Signed \_\_\_\_\_  
Aggrieved Person

**STAFF PERSONNEL/COMPLAINTS AND GRIEVANCES – Series 400**

GRIEVANCE FORMS – 401.2/P8

**Reply of LEVEL THREE Grievance**

LEVEL THREE

Date Reply sent to Aggrieved Person:

Name of Aggrieved Person:

Home Address:

School:

Date of submission of Grievance to Business Manager – LEVEL THREE:

Date of hearing with School Board:

Decision of the School Board:

Signed \_\_\_\_\_  
President of the Board

## **STAFF PERSONNEL/SUPPORT STAFF – Series 400**

### **SUPPORT STAFF POSITIONS – 402.1**

The Board will establish all support staff positions. The Superintendent will submit, for the Board's consideration and action, a job description or job specifications for the position.

Although positions may remain temporarily unfilled, or the number of persons holding the same type of position reduced in event of reduction in force, only the Board may abolish a position it has created.

## **STAFF PERSONNEL/SUPPORT STAFF – Series 400**

### **CUSTODIAN – 402.2**

#### **A. Responsibility for buildings and grounds**

The custodian shall be responsible for the operation and general maintenance of the school building(s) and grounds they are assigned. The custodian shall operate the heating, ventilating and mechanical equipment.

#### **B. Work Schedule**

The schedule shall be per contract. The daily working schedule will be arranged according to school need and the contract signed by the Board. If the custodian leaves the school during the day, he/she should notify the principal as to where he/she may be found.

#### **C. General conditions of employment**

Appointment of a custodian shall be probationary until ability to perform the job has been determined by the supervisor in charge.

#### **D. Custodians employed shall:**

- Be physically able to do the job.
- Have good judgment.
- Shall be able to relate to children.

#### **E. Line of authority**

The custodian shall be responsible to the building administration for day to day operation and maintenance of the school. On re-employment, the Superintendent shall make the final recommendation to the Board of Education.

#### **F. Holidays and legal days**

The custodian is responsible for his/her plants during holidays and legal days. This relates to heat control, cleaning and maintenance. The building shall be ready for school following one of the above.

#### **G. Contract period**

Custodians shall be employed by contract on a twelve month basis, with payday the 25<sup>th</sup> of the month.

## **STAFF PERSONNEL/SUPPORT STAFF – Series 400**

### **CUSTODIANS – 402.2/P2**

#### **H. Vacation**

After one full year of work a custodian will receive one week of vacation with pay; after the second year custodians will receive two weeks' vacation with pay. The time of vacations must be arranged with the Superintendent.

#### **I. Sick leave**

Each custodian will be granted 10 days a year with 75 days accumulated unused sick leave.

#### **J. Resignations**

All resignations will be given to the Superintendent of schools, with a two-week notice before employment is terminated.

#### **K. Insurance**

Custodians are eligible for group insurance paid by the district. Custodians are also covered by workman's compensation. Custodians are eligible for family coverage partially paid by the District as negotiated because of their 12-month contract period.

#### **L. Retirement System**

Custodians on full-time contract are required to be members of the SD Teacher Retirement System.

## **STAFF PERSONNEL/SUPPORT STAFF – Series 400**

### **FOOD SERVICE – 402.3**

#### **A. General condition of employment**

Appointment as the food service manager shall be probationary until ability to perform the job has been determined by the supervisor in charge.

#### **B. Food service manager employed shall:**

- Be physically able to do the job.
- Have good judgment.
- Be able to relate to children.
- Have skill for the position.
- Attend all training as indicated by the state regulatory agency.
- Be certified according to the standards of the Department of Education.

#### **C. Responsibility**

The food service manager will prepare menus at least two weeks in advance.

He/she shall see that all meals meet State Department requirements.

He/she shall supervise student workers.

He/she shall be responsible for the general cleanliness of the lunchroom.

He/she will keep the administration informed of all matters concerning the lunchroom and program.

#### **D. Work schedule and contract period**

The workload shall be eight hours per day for the food service manager and the assistant cooks will be hired for the necessary hours. The contract period will run for 176 working days with salary being paid bi-weekly during the school term.

#### **E. Line of authority**

The manager shall be responsible to the administration for day to day operation of the lunchroom. In the accounting and inventory part of the lunch program, the food service manager will be responsible to the business manager. On re-employment the final recommendation to the Board will be made by the Superintendent.



## **STAFF PERSONNEL/SUPPORT STAFF – Series 400**

### **FOOD SERVICE – 402.3/P2**

#### **F. Resignations**

All resignations will be given to the Superintendent of schools, with a two-week notice before employment is terminated.

#### **G. Sick leave**

The food service manager will be granted personal days and sick leave as negotiated in contract.

#### **H. Insurance**

The manager is entitled to individual group insurance to be paid by the district as negotiated.

#### **I. Retirement Systems**

SD Teacher Retirement System membership is required for full-time cooks.

#### **J. Responsibilities of food service manager to business manager.**

The food service manager will place orders for the kitchen for all food and supplies needed.

The food service manager must make arrangements for delivery of orders.

The food service manager must keep a monthly inventory of all supplies, food and commodities received and used. Dates for delivery or use must be included in each transaction as well as the size of the package or can (received, issued, and balance on hand).

The inventory book must be turned in, completed, on the last working day of each month.

All invoices for items received must be turned in to the business office at least once a month, on dates to be determined by the business manager.

## **STAFF PERSONNEL/SUPPORT STAFF – Series 400**

### **BUS DRIVERS – 402.4**

#### **A. Responsibilities**

A driver shall drive the bus route to which they are assigned in the morning and afternoon of each day.

Drivers shall take turns in driving for extra trips, as they are assigned by transportation director.

A driver shall inform the transportation director when any trouble arises with their bus or with their route.

If at any time they are unable to drive their route, they must notify the transportation director.

Each driver is responsible for obeying all the laws of the State of South Dakota while driving the bus.

Each driver is to keep a daily journal of gas used and yearly mileage separately for regular routes and extra-curricular activity trips.

Each driver is to keep a daily record of students riding their bus.

All bus drivers must have passed the state drivers' examination and hold a valid driver's license.

Every two years a physical examination must be passed in order to renew the license. The normal required bus driver examination will be paid by the school district. However, if any bus driver, because of a special physical condition must have some special type of examination not included in the basic state requirement, he/she must personally pay the cost of this special type of examination.

A resignation will be accepted after a (2) week notice.

Drivers will complete a pre-trip inspection.

Exact times for driving the bus routes will be determined by the length of the route and the time for starting and closing school.

In case of bad weather conditions, or shortened school days, drivers may be expected to drive their route at any time of the day. Drivers should contact the school when there is any doubt about route time due to weather.

**STAFF PERSONNEL/SUPPORT STAFF – Series 400**

**BUS DRIVERS – 402.4/P2**

Drivers will not work during any day on which there is no school unless they are driving some type of extra trip.

**B. Substitute drivers**

The substitute will be paid the same as the regular driver for extra trips.

## **STAFF PERSONNEL/SUPPORT STAFF – Series 400**

### **SUPPORT STAFF CONTRACTS AND COMPENSATION PLANS – 402.5**

The Board will establish salary schedules for classifications of the support staff, including secretarial staff, aides, custodians, maintenance, bus drivers and cafeteria workers.

In establishing salaries and salary schedules for support staff personnel, the Board will take into account the responsibilities of the position, the qualifications needed, past experience of the individual, and years of service in the district. Compensation and benefits will be designed to be competitive with those comparable positions elsewhere in the area.

Annual increments will be dependent upon the employee's satisfactory performance in the position. Advancement will require the Superintendent's recommendation and Board approval.

The hourly rate of pay for part-time and substitute personnel will be set by the Board.

ASBSD: GDB:            Support Staff Contracts and Compensation Plans

## **STAFF PERSONNEL/SUPPORT STAFF – Series 400**

### **SUPPORT STAFF SUPPLEMENTARY PAY PLANS – 402.6**

Support staff employees will be paid over-time wages for work performed in excess of 40 hours in a workweek.

In counting hours for the purpose of allowing overtime work and pay, supervisors will not consider sick leave, vacation time, and holidays as time worked.

The necessity for overtime will be determined in advance by the employee's supervisor and approved by the Superintendent. Overtime also may be authorized to cover an emergency situation.

#### **Special Compensation:**

When an employee's assignment requires extra responsibility, the Board, upon recommendation of the Superintendent, may award extra compensation to a support staff employee.

ASBSD/GDBB:        Support Staff Supplementary Pay Plans

## **STAFF PERSONNEL/SUPPORT STAFF – Series 400**

### **SUSPENSION AND DISMISSAL OF SUPPORT STAFF MEMBERS – 402.7**

The Board will strive to assist personnel to adjust to their positions and to perform their duties satisfactorily. Reasonable effort will be made to avoid dismissing personnel at any level.

When an employee is charged with misconduct, insubordination or unsatisfactory performance, they may be temporarily suspended by the Superintendent until the charges are investigated. If the charges are unfounded, the employee will be reinstated, if not, the employee will be disciplined.

If the employee is dissatisfied with the Superintendent's action, the employee may appeal to the School Board for a review of their case.

LEGAL REF:           SDCL 13-10-15  
                              13-10-2  
                              13-8-39

## **STAFF PERSONNEL/SUPPORT STAFF – Series 400**

### **SUPPORT STAFF LEAVES AND ABSENCES – 402.8**

Leaves and absences granted to the support staff will be for the purposes of helping them maintain their physical health, take care of family and other personal emergencies, and discharge important and necessary obligations.

All requests for long-term leaves of absences will be submitted by the Superintendent along with his/her recommendations, to the Board for its action.

CONTRACT REF:                    Secretaries' Agreement  
    Food Service Worker's Agreement  
    Bus Drivers' Agreement

## **STAFF PERSONNEL/SUPPORT STAFF – Series 400**

### **FAMILY AND MEDICAL LEAVE ACT (Support Staff) – 402.9**

An eligible employee is entitled to a combined total (paid and unpaid) of twelve (12) weeks of FMLA Leave per year for:

- 1) The birth and first year care of a child;
- 2) The adoption or foster placement of a child;
- 3) The illness of an employee's spouse, parent, or child; or
- 4) The employee's own illness.

The employee must first use and count all available accrued paid leave, including vacation, sick leave, and personal leave, before using the unpaid leave. During the period of FMLA Leave, the employee is entitled to the continuation of all fringe benefits. Employees will still earn sick days and vacation days while on FMLA Leave. The district will continue to pay its portion of the health insurance, and it will be the employee's responsibility to continue to pay for his or her portion. Upon return to work, the employee will be entitled to his or her same position or an equivalent position or an equivalent position with equivalent pay.

In the case of birth, adoption or foster placement, the FMLA Leave entitlement for child-care ends after: (1) the child reaches the age of one, or (2) 12 months after adoption or placement. FMLA Leave to care for a child would include leave for a stepparent or a person in loco parentis.

In cases where both spouses are employed by the District, the combined amounts (both employees) of FMLA Leave for birth, adoption or foster placement, or family illness is limited to twelve (12) weeks. Personal illness is not limited to this combined total.

The District, at the request of the employee, may agree that the employee may take leave intermittently or on a reduced hours basis in connection with the birth, adoption or foster placement of a child. This is subject to the recommendations of the administrator or supervisor and is at the request of the employee.



## **STAFF PERSONNEL/SUPPORT STAFF – Series 400**

### **FAMILY AND MEDICAL LEAVE ACT (SUPPORT STAFF) – 402.9/P2**

When FMLA Leave is in connection with birth, adoption or foster placement, and is foreseeable, the employee must provide at least thirty (30) days notice of the date when FMLA Leave is to begin. When FMLA Leave is in respect to family or employee illness which is foreseeable, the employee must make a reasonable effort to schedule treatment, including intermittent and reduced hour leave, so as to not unduly disrupt the operations of the District.

In case of employee illness, in addition to current sick leave policy requirements, the District will require the employee to provide certification by his or her health care provider that the employee is able to return to work and is able to meet the essential functions of the job.

If an employee fails to return to work after the leave period has expired, unless the absence is due to continued family or personal illness or other circumstances beyond the employee's control, the District will require the employee to reimburse the District's share of the health insurance premiums paid while the employee was on FMLA Leave.

The Superintendent or designee will work individually with an employee who wants to apply for FMLA Leave. FMLA Leave request forms are available from the Central Office.

LEGAL REF:           P.L. 103-3, "Family and Medical Leave Act of 1993"

## **STAFF PERSONNEL/SUPPORT STAFF – Series 400**

### RETIREMENT OF SUPPORT STAFF MEMBERS – 402.10

#### Retirement System

All regular employed support members are participants in the State Retirement System.

#### Retirement Age

The Board may not impose a mandatory retirement age on employees.

The Board reserves the right to retire an employee if the employee is unable to satisfactorily perform the duties of his/her position due to poor health or disability.

### **OPTION TO CONTINUE WHOLE HEALTH COVERAGE FOR RETIREES**

If you are an eligible retired employee, you may continue in the group health coverage or a retiree health benefits program offered by the school district and available to age 65.

Covered dependents can continue for as long as they remain qualified dependents. For more information, call the personnel office of the district.

Qualified dependents includes your spouse, if not divorced or legally separated from you, your unmarried, dependent children up to age 19 who are not employed on a full-time basis or dependent children who are full-time students up to age 23.

Continuation of coverage may be terminated or denied for any of the following reasons:

- 1) Coverage under another health plan is acquired;
- 2) The contribution for continuation coverage is not paid on time;
- 3) Entitlement or enrollment in Medicare;
- 4) The district no longer provides group health coverage;
- 5) Your continuation period ends.

LEGAL REF:           ARSD Age Discrimination in Employment Law  
                          SDCL 13-10-3  
                          13-10-4  
                          13-10-6  
                          13-10-8  
                          13-12

## **STAFF PERSONNEL/SUPPORT STAFF – Series 400**

### NEGOTIATIONS GOALS– 403.1

The Board recognizes that education is a public trust; it therefore is dedicated to providing the best possible educational opportunities for the young people of this community. In negotiations, this objective may be best attained if there is a climate of mutual trust and understanding between the negotiating parties.

The Board believes that the best interests of public education will be served by establishing procedures that provide an orderly method for the Board and representatives of the staff to discuss matters of common concern.

It is further recognized that nothing in negotiations should compromise the Board's legal responsibilities, nor should any employee's statutory rights and privileges be impaired.

## **STAFF PERSONNEL/NEGOTIATIONS – Series 400**

### NEGOTIATIONS LEGAL STATUS – 403.2

The Board negotiates salary and other conditions of employment with employee groups under requirements and subject to limitations set forth in the state law.

Under the South Dakota Codified Laws, public employees—including members of the teaching profession—may join or refuse to join without prejudice any organization for professional or economic improvement. Representatives of the teachers and the Board will meet at reasonable times to negotiate with respect to rates of pay, wages, hours of employment, and other conditions of employment; to confer in good faith; and to attempt to negotiate an agreement.

Support personnel are given the right to organize and to join any employee organization and to bargain collectively through representatives of their own choosing. The Board has the duty to confer in good faith with respect to wages, hours, and other conditions of employment, and to attempt to negotiate an agreement.

These laws state further that anything therein “does not compel either party to agree to a proposal or require the making of a concession”.

Established by law

LEGAL REF:           SDCL 3-18-1  
  3-18-8

## **STAFF PERSONNEL/NEGOTIATIONS – Series 400**

### **SCOPE OF NEGOTIATIONS – 403.3**

In accordance with state law, the Board will negotiate with officially recognized employee bargaining groups on the following items: wages, salary, fringe benefits and other mutually agreed-upon terms and conditions of professional service.

LEGAL REF:           SDCL 3-18-1

## **STAFF PERSONNEL/NEGOTIATIONS – Series 400**

### **SCHOOL BOARD NEGOTIATING POWERS AND DUTIES – 403.4**

The Board has a duty to bargain in good faith with recognized staff units on wages and other conditions of employment. It also has the privilege to refuse to negotiate in certain areas.

The Board will refrain from:

- 1) Interfering with, restraining, or coercing employees in the exercise of their right to organize.
- 2) Encouraging or discouraging membership in any employee organization.
- 3) Discriminating with regard to any employee for signing or filing any affidavit, petition, or complaint to the negotiations process.
- 4) Discharge or otherwise discriminate with regard to any employee because he signed or filed any affidavit, petition, or complaint pursuant to the negotiations law.
- 5) Refuse to negotiate in good faith.
- 6) Fail or refuse to comply with any provision of state law relating to negotiations.

LEGAL REF:           SDCL 3-18-3.1

## **STAFF PERSONNEL/NEGOTIATIONS – Series 400**

### **BOARD NEGOTIATING AGENTS – 403.5**

The Board is ultimately responsible for negotiating with employee units. Prior to commencement of any negotiations, the Board—with the assistance of the Superintendent—will decide whether to appoint a labor lawyer, a professional negotiator, or a representative from within the school district to serve as the Board’s chief negotiator. The balance of the Board’s negotiating team will be selected by the Board with assistance from the Superintendent.

The fee or salary for a professional negotiator will be established by the Board at the time of appointment.

Negotiations will be conducted only as directed by the Board. No agreement will be effective until the Board has accepted it and officially designated its representatives to sign it.

#### Appointment of a Professional Negotiator

The duties of the negotiator will be mutually agreed upon, and may include the following:

- 1) Serve as chief spokesperson in negotiations with recognized or certified bargaining units to arrive at a mutually satisfactory agreement on wages, hours, and working conditions of employees represented by the units, and at any related fact finding proceedings.
- 2) Direct accumulation of necessary data needed for negotiations, such as comparative information.
- 3) Follow guidelines set forth by the Board as to acceptable agreements and will report on the progress of negotiations.
- 4) Make recommendations to the Board as to acceptable agreements.
- 5) Serve as the official designee of the Superintendent when the grievance procedure reaches the level of the Superintendent.
- 6) Plan, organize, direct, and represent the district in arbitration involving agreements.

## **STAFF PERSONNEL/NEGOTIATIONS – Series 400**

### **STAFF NEGOTIATING ORGANIZATIONS – 403.6**

The following organizations have been recognized as the official representatives of the various classifications of employees in the district for negotiating with the Board:

- 1) Employees defined as teachers will be represented by the Gayville-Volin Education Association.
- 2) Non-certified employees will negotiate with the Board individually or through school a representative.



## **STAFF PERSONNEL/NEGOTIATIONS – Series 400**

### **PRIVILEGES OF STAFF NEGOTIATING ORGANIZATIONS – 403.7**

In accordance with state law, recognized employee organizations or their agents will not:

- 1) Restrain or coerce an employee in the exercise of the rights guaranteed to the employee by state law.
- 2) Restrain or coerce an employer in the selection of his representative for the purpose of negotiating or the adjustment of a grievance.
- 3) Cause or attempt to cause an employer to discriminate against an employee due to membership or non-membership in an employee organization, or to whom membership in such organization has been denied or terminated for some reason.
- 4) Refuse to negotiate collectively in good faith with an employer.

Established by law

LEGAL REF:           SDCL 3-18-3.2 through 3-18-3.3

## STAFF PERSONNEL/NEGOTIATIONS – Series 400

### NEGOTIATION PROCEDURES – 403.8

Representatives of the Board will meet with the representatives of the organization for negotiations.

1) Initiation of Negotiations:

- a) The Board will make an effort to begin negotiations well in advance of contract issuance.
- b) A written request to begin negotiations will be sent to the employee unit representatives, and reasonable time will be given for response.

2) Time and Place of Negotiations:

(a) Negotiations meetings will be scheduled at times which will interfere least with the educational program. (b) They will be conducted at times and places mutually agreeable to all negotiators. (c) At the first meeting, the date and location of the subsequent meeting will be scheduled, and so on.

3. Conduct of negotiations. (a) Individual Board members cannot negotiate privately with representatives of any employee unit. (b) Each negotiating team will be limited to a specific number of individuals determined jointly by the Board and the negotiating organization.

It is the responsibility of each negotiation team to keep its own records of the proceedings. No electronic recording devices will be allowed.

If one party calls for a caucus, that party will move to another location for its caucus. Each party will determine which representatives may be present at its caucus.

4. Communications. Press releases regarding negotiation progress are the responsibility of each team. The Board will have the responsibility of communicating on a continuous basis to the community.

5. Procedures. During negotiations, the representatives of the Board and the organization will present relevant data, exchange points-of view, and make proposals and counterproposals. Upon the request of either party, the other will make available for its records and data pertinent to the subject of negotiations.

6. Reaching Agreement. All tentative agreements will be written and initialed by spokespersons of the respective negotiating teams. Agreements will be tentative until approved by the employee organization and adopted by the Board.

Formal negotiations meetings will be conducted in closed session, unless an open session is agreed upon.

## **STAFF PERSONNEL/NEGOTIATIONS – Series 400**

### **PRELIMINARY NEGOTIATED AGREEMENT DISPOSITION – 403.9**

If a tentative settlement is reached between an employee organization and the Board, the designated representatives of both parties will recommend ratification by their respective groups. If either the Board or the employee organization membership fails to ratify the tentative agreement, negotiations will be continued for a specified period of time in an effort to work out differences locally, prior to declaring impasse and commencing conciliation or fact-finding procedures.

LEGAL REF:           SDCL 3-18-7

## **STAFF PERSONNEL/NEGOTIATIONS – Series 400**

### **IMPASSE – 403.10**

In the event the Board and the employee's negotiation teams are unable to reach agreement, and an impasse exists, the conciliation and fact-finding procedures outlined in state law may be requested by either party. The notice of an impasse must be in writing.

If neither party requests intervention by the Department of Labor and Management within 10 calendar days after impasse is reached, the Board will assume negotiations are completed and will institute the provisions of the Board's last offer.

Within five days of receipt of a fact-finder's report, both parties will meet to discuss the report.

In case of failure to reach agreement after full use of conciliation and mediation, the Board will be responsible to make decisions necessary for operation of the school system.

LEGAL REF:           SDCL 3-18-8.1  
                              60-10-1  
                              60-10-2

## **STAFF PERSONNEL/NEGOTIATIONS – Series 400**

### **STRIKE – 403.11**

By state law, it is illegal for any employee of the district to: (a) engage in a strike, (b) withhold services, (c) be absent without leave or authorization, or (d) decline to perform all of his duties and responsibilities.

The Board will ensure that district contracts in force are fulfilled. If necessary, legal recourse will be taken by the Board to fulfill its obligations.

Any employee who conducts himself/herself in a manner that is disruptive to the educational programs of the district and/or violates the provisions of his contract with the district subjects himself/herself willfully to the legal recourses available to the Board.

LEGAL REF:           SDCL 3-18-9 through 3-18-17

# STUDENT POLICIES

## Series 500

### 500 STUDENT POLICIES

- 500.1 Equal Education Opportunities
- 500.2 Sexual Harassment
- 500.3 Family Rights and Privacy
- 500.4 Open Enrollment
- 500.5 Compulsory Attendance Ages
- 500.6 Students Alternative Instruction
- 500.7 Entrance Age
- 500.8 School Admissions
- 500.9 Admission of Resident Students
- 500.10 Admission of Nonresident Students/Assignment of Resident Students
- 500.11 Admission of Exchange and Foreign Students
- 500.12 Student Withdrawal From School
- 500.13 Student Attendance
- 500.14 Absentee Slips
- 500.15 Truancy
- 500.16 Student Dismissal Precautions
- 500.17 Student Attendance Accounting
- 500.18 Student Rights and Responsibilities
- 500.19 Student Due Process Rights
- 500.20 Student Handbook
- 500.21 Alcohol and Substance Abuse
- 500.22 Tobacco/Controlled Substances
- 500.23 Dangerous Weapons In the Schools
- 500.24 Student Conduct on Buses
- 500.25 Interrogations and Searches
- 500.26 Student Complaints and Grievances
- 500.27 Student Suspension/Expulsion
- 500.28 Suspension
- 500.29 Student Suspension/Expulsion Forms
- 500.30 Classroom Behavior Procedures
- 500.31 Student Health Services and Requirements
- 500.32 Physical Examinations of Students/Inoculations of Students
- 500.33 Administering Medicines to Students
- 500.34 Student Psychological Services
- 500.35 Reporting Child Abuse
- 500.36 Student Fees, Fines and Charges
- 500.37 Loaning Textbooks
- 500.38 Student Records
- 500.39 Acceptable Use Policy – Internet Accounts
- 500.40 Student Solicitations

## STUDENT POLICIES – Series 500

### EQUAL EDUCATIONAL OPPORTUNITES – 500.1

All students of the district will have equal educational opportunities. The Board will not discriminate on the basis of race, color, creed, religion, sex, handicap, economic status, national origin, or ancestry in its policies or programs.

To accomplish this policy on nondiscrimination, the Board will make every effort to provide all students equal access with respect to admission or membership in school-sponsored organizations, clubs, or activities; access to facilities; distribution of funds; academic evaluations; or any other aspect of school-sponsored programs or activities. To report acts of discrimination please direct the response to Title IX Coordinator Jason Selchert, 100 Kingsbury, Gayville, SD 57031. 504 Coordinator Patrick Beeman, 100 Kingsbury, Gayville, SD 57031.

The Board recognizes, however, that in implementing this policy children vary widely in capabilities, interests, and social and economic background, and that no two children can be treated exactly alike if the fullest development of each is to be achieved.

LEGAL REF:           Civil Rights Act of 1964, as amended in 1972, Title VI, Title VII  
                          Executive Order 11246, 1965, amended by Executive Order 11375  
                          Education Amendments of 1972, Title IX (PL 92-318) 45CFR, Parts 81,86  
                          (Federal Register), June 4, 1975, August 11, 1975)  
                          The American Disabilities Act, July 26, 1990  
                          Education for All Handicapped Children Act (PS 94-142)  
                          Section 504 of the Vocational Rehabilitation Act of 1973  
                          SDCL 13-28-5  
                                  13-28-6  
                                  13-28-14

## **STUDENT POLICIES – Series 500**

### **SEXUAL HARASSMENT – 500.2**

Sexual harassment is illegal, unacceptable and will not be tolerated. No student may sexually harass another individual. Any student will be subject to disciplinary action including possible suspension/expulsion for violation of this policy. To report acts of harassment please direct the response to Jason Selchert, 100 Kingsbury, Gayville, SD 57031.



## STUDENT POLICIES – Series 500

### FAMILY RIGHTS AND PRIVACY 500.3

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that the school district, with certain exceptions, obtain written consent from a student's parent or guardian prior to the disclosure of personally identifiable information from a student's education records. However, the district may disclose appropriately designated "directory information" without written consent, unless a student's parent or guardian have advised the district to the contrary in accordance with district procedures. The primary purpose of directory information is to allow the district to include this type of information from student's education records in certain school publications. Examples include:

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

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks.

In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with three directory information categories - names, addresses and telephone listings - unless parents or guardians have advised the LEA that they do not want their student's information disclosed without their prior written consent.<sup>1</sup>

If a student's parent or guardian does not want the school district to disclose directory information from his or her child's education records without prior written consent, he or she must notify the District in writing by \_\_\_\_\_ (Date).

The district has designated the following information as directory information:

[Note: an LEA may, but does not have to, include all the information listed below.]

- 1) student's name;
- 2) address;
- 3) telephone listing;
- 4) e-mail address;
- 5) photograph;
- 6) date and place of birth;
- 7) the most recent educational agency or institution;
- 8) major field of study;
- 9) grade level;
- 10) dates of attendance;

## **STUDENT POLICIES – Series 500**

### **FAMILY RIGHTS AND PRIVACY 500.3/P2**

- 11) degrees, honors, and awards received;
- 12) participation in officially recognized activities and sports;
- 13) weight and height of members of athletic teams

Notes: <sup>1</sup>These laws are: Section 9528 of the ESEA (20 U.S.C. 7908), as amended by the No Child Left Behind Act of 2001 (P.L. 107-110), the education bill, and 10 U.S.C. 503, as amended by section 544, the National Defense Authorization Act for Fiscal Year 2002 (P.L. 107-107), the legislation that provides funding for the Nation's armed forces

## **STUDENT POLICIES – Series 500**

### **OPEN ENROLLMENT– 500.4**

The School Board believes in providing parents and students the opportunity to choose the school environment that best meets the need of the individual student. However, the Board also recognizes that certain restrictions may need to be enforced to preserve educational opportunities for students.

Students will be assigned to district schools in accordance with provisions set forth in South Dakota Codified Law, Department of Education Administrative Rule and school board policy. The superintendent may submit to the board additional regulations to address assignment of students to schools according to the residence of a student's parent or legal guardian, transfers resulting from change of residence, and open enrollment.

#### **DEFINITIONS**

For the purposes of this policy:

- 1) "Resident district" means the district in which a student has legal residence as determined by South Dakota Law.
- 2) "Non-resident district" means any district in which a non-resident student seeks to enroll.
- 3) "Assigned school" means the attendance center within the district to which a resident student is assigned.
- 4) "Non-assigned school" means an attendance center within a resident student's district to which the student has not been assigned.

#### **GENERAL PRINCIPLES**

The following principles apply to all open enrollment requests, including requests to transfer to another school within the district.

- 1) A student who is a legal resident of another South Dakota school district seeking to transfer to the District must make application on forms provided by the Department of Education. The application must be made by an unemancipated student's parent or guardian or by the emancipated student.
- 2) The application to transfer from a non-resident district will be approved or disapproved by the school board. The applicant and resident district must be notified of the decision within five days of the decision. Applications will be reviewed in the order received.
- 3) Any application to transfer from a non-resident district may be withdrawn by the applicant prior to the approval of the request and upon notification of the district to which the student applied.

## STUDENT POLICIES – Series 500

### OPEN ENROLLMENT– 500.4/P2

- 4) Transfer from a non-resident district must be prior to the last Friday in September for the first semester, and must be prior to the last Friday in January for the second semester. Approval for transfer after these dates will take effect at the beginning of the subsequent semester. These deadlines do not apply if any of the following circumstances exist.
  - a) The transfer is to an alternative school or a specialized nonpublic educational program.
  - b) A student becomes a resident of the district.
  - c) The Board determines that special circumstances exist. When determining special circumstances school boards should consider avoiding a substantial disruption of the child's education.
- 5) Once approved by the non-resident district, the applicant's intent to enroll obligates the student to attend school in the receiving non-resident district or non-assigned school for the next school year unless the parent, guardian, or student changes residence to another district. Students may continue enrollment for subsequent years without reapplication.
- 6) A non-resident district will accept credits granted for any course successfully completed in another accredited district. The non-resident district may award a diploma to a non-resident only if the student satisfactorily meets the non-resident district's graduation requirements. If, upon review of an application and the student's transcript, it appears that the student seeking transfer could not satisfy graduation requirements in the non-resident district in the same time frame as the student's peers, the applicant should be notified that additional school attendance will be required in order to receive a diploma.

### RESIDENT DISTRICT TRANSFER (IN-DISTRICT TRANSFER)

Applications to move to a non-assigned school can be accepted and acted upon by the board at any time; however, decisions regarding transfers among attendance centers within a district will be based upon procedures consistent with resident/non-resident transfers.

### SPECIAL EDUCATION STUDENTS

Both state and federal law require that the resident district be responsible for providing a free and appropriate public education for students in need of special education and related services. All applications for transfer of a special education student will first be considered by a placement committee, and the placement committee will include representatives of both the resident and non-resident districts. In addition, the following considerations will apply:

- 1) An individualized education program team consisting of representatives from both the resident and nonresident districts will determine if the nonresident district can provide an appropriate instructional program and facilities, including transportation, to meet the student's needs.

## STUDENT POLICIES – Series 500

### OPEN ENROLLMENT– 500.4/P3

- 2) If the request to transfer is granted, the nonresident district is responsible for the provision of a free appropriate public education for the student in need of special education or special education and related services.
- 3) The individualized education program team shall also determine whether the student in need of special education requires transportation as a related service. If so, the nonresident district shall provide or ensure the provision of transportation within the boundaries of the attendance center to which the student is assigned.
- 4) If a parent or guardian of a student in need of special education or special education and related services requests to transfer the student back to the resident district, the individualized education program team shall consider the request.

### CRITERIA FOR MAKING TRANSFER DETERMINATIONS

To ensure that the transfer of students does not result in an inability to provide a quality educational program for all students, the superintendent shall develop and implement regulations establishing the criteria the district will use in evaluating transfer requests, including any criteria that may be used to deny a request. The criteria may include, but is not limited to:

- 1) The establishment of average student-to-teacher ratios that must be maintained at various grade levels;
- 2) The establishment of a maximum capacity that must be maintained for any educational program; and
- 3) The establishment of a maximum capacity that must be maintained for any school building;
- 4) Criteria for making transfer determinations will be provided to any individual requesting the information. Discrimination based upon race, gender, religious affiliation, or disability is prohibited. All members of the same family residing in the same household will be treated the same.

### TRANSPORTATION

Transportation of non-resident students to school is the responsibility of the applicant. Both the resident and non-resident districts may provide transportation to non-resident students, provided both districts annually approve pick up locations. The receiving district may charge a reasonable fee if the student elects to use the transportation services offered by the receiving district

## **STUDENT POLICIES – Series 500**

### **OPEN ENROLLMENT– 500.4/P4**

LEGAL REF: SDCL-13-10.1  
SDCL 13-15-8.1  
SDCL 13-15-9  
SDCL 13-15-11  
SDCL 13-15-21  
SDCL 13-15-21.1  
SDCL 13-15-23  
SDCL 13-15-24  
SDCL 13-28  
SDCL 13-32-4.3  
SDCL 13-32-9  
SDCL 13-46

CROSS REF: IGBA: Programs for Handicapped Children  
JECC: Assignment of Students to Schools  
LB: Relation with Other Schools and School Districts

## **STUDENT POLICIES – Series 500**

### **COMPULSORY ATTENDANCE AGES – 500.5**

Under South Dakota law, a child who is at least six (6) years old by the first day of September, but who has not exceeded the age of eighteen (18) is of compulsory school age. It is the responsibility of every person having under their control a child between those ages to see to the child's attendance at school until the child has reached the age of eighteen (18), unless excused.

All children shall attend kindergarten prior to age seven. Any child who transfers from another state may proceed in a continuous educational program without interruption if the child has not previously attended kindergarten.

Any person who does not see to the school attendance of a child in his/her care will be guilty of a misdemeanor and if convicted, will be subject to a fine as established by law.

No student will be denied the right of attending school without due process of law.

Established by law

LEGAL REF:           SDCL 13-27-1  
                              13-27-2  
                              13-27-11  
                              13-27-12  
                              13-27-16  
                              13-32-4.1

## STUDENT POLICIES – Series 500

### STUDENTS ALTERNATIVE INSTRUCTION – 500.6

#### A. Excuse From School.

State law requires that children of compulsory school age (at least six (6) years old by the first day of September and not yet eighteen (18) years old must regularly attend some public or non-public school, unless excused from school attendance by the School Board. All requests for excused absence from school must be in writing. A child will be excused from school attendance if a child is provided with alternative instruction for an equivalent period of time as in the public schools in the basic skills of language arts and mathematics. Any parent or guardian of a child of compulsory school age may request that the child be excused from school attendance. The State Department of Education form for request can be obtained from the Superintendent. The request for alternative instruction must be filed annually.

The Gayville-Volin School Board hereby authorizes the Board President to approve any request for alternative instruction if approval is recommended by the Superintendent. Any person seeking approval is recommended by the Superintendent. Any person seeking an excuse from school attendance for alternative instruction which is not recommended for approval by the Superintendent may present the request at the next regularly scheduled or special School Board meeting. The Superintendent or Board President may refer any requests for excuse from school to the full Board for action.

Any child so excused from school shall annually take the test required by State law. Any student who has reached eighteen (18) years of age need not be excused from school in order to receive alternative instruction.

#### B. Re-enrollment in School.

1. **Elementary/ Middle School Students.** Any child of compulsory school age, who has been receiving alternative instruction in an unaccredited setting, seeking enrollment in the Gayville-Volin School District, shall be placed at the child's demonstrated level of proficiency established by the District's standardized tests. The child's placement may not be at a grade level higher than warranted by the child's chronological age, assuming entry to the first grade at age six (6) years and annual grade advancement thereafter. The standardized test shall be administered by the school personnel and scored as required by the test protocols.
2. **Secondary Students.** Any student who has been receiving alternative instruction in an unaccredited setting and seeks enrollment in the Gayville-Volin Public School in grades 9 or above, shall be placed in the grade level established by standardized English and mathematics tests, to be administered by the District. The student shall be assigned the minimum passing credit for the grade levels associated with the standardized tests.



## STUDENT POLICIES – Series 500

### STUDENTS ALTERNATIVE INSTRUCTION – 500.6/P2

The student may request credit for any other subject equivalent to a subject provided by the Gayville-Volin Schools. The high school principal shall review the student's alternative instruction transcript and award credits based upon the student's performance. Any such awarded credits shall count towards the student's required credits for graduation.

- C. Appeals of Decisions. Any parent, guardian, or eighteen (18) year old student aggrieved by a grade or credit determination may, pursuant to this policy, appeal the determination to the School Board. Decisions made by the School Board under this policy may be appealed to the Secretary of the Department of Education and Cultural Affairs, pursuant to SDCL 13-27-8.

LEGAL REF:           SDCL 13-27-1  
                              13-27-3  
                              13-27-7  
                              13-27-8  
                              13-27-9  
                              13-27-29

## **STUDENT POLICIES – Series 500**

### **ENTRANCE AGE – 500.7**

#### **Kindergarten**

All children entering kindergarten for the first time must be five years of age on or before September 1.

When a child has been enrolled in kindergarten prior to moving to the district and does not meet South Dakota entrance age requirements, a conference involving the building principal, the teacher, and the parent will be held. The parent will be informed that the child will be placed in kindergarten on a trial basis until such times as the principal and teacher can determine whether the welfare of the child can best be served by retaining him/her in school or by withholding admission until the following school year. The trial period will not exceed three weeks.

#### **First Grade**

All children entering first grade must be six years of age before September 1. A parent may request a waiver of compulsory attendance requirement under the age of seven years. First grade transfer students who do not meet state age requirements will be handled in the same manner as the kindergarten students. A student not yet prepared for first grade may be placed in kindergarten.

Proof of birth date by a certified copy of the child's birth certificate or affidavit will be required. The school will make a copy of the original and place it in the school files.

LEGAL REF:           SDCL 13-27-1  
                              13-27-3.1  
                              13-28-2

## **STUDENT POLICIES – Series 500**

### **SCHOOL ADMISSIONS – 500.8**

In accordance with state law, all persons over five and under 21 years of age and all veterans (except dishonorably discharged veterans) are eligible to attend the public schools free of charge, if they have not already received a high school diploma.

Upon registration, all new students will be required to present:

- 1) Certified copy of birth certificate or affidavit in lieu of birth certificate.
- 2) South Dakota record of immunizations.
- 3) Proof of residency if requested

LEGAL REF:           SDCL 13-27-3.1  
                          13-27-29  
                          13-28-5  
                          13-28-7.1  
                          13-28-14  
                          ARSD 24:03:09:09

## **STUDENT POLICIES – Series 500**

### **ADMISSION OF RESIDENT STUDENTS – 500.9**

The legal residence of a student, for the purpose of claiming free school privileges under the South Dakota Constitution will mean the legal residence or domicile of the student's parents or legal guardian.

The parents or legal guardian may not establish residency in a district for the sole purpose of obtaining free schooling in that district.

A child's school residence may not change during the school fiscal year unless the child ceases to be enrolled in the school of the district.

When a child is residing in a foster home on a permanent or temporary basis, the child has school residence in the district where the foster home is located.

Established by law

LEGAL REF:           SDCL 13-24-19  
                                  13-28-9  
                                  13-28-10

## STUDENT POLICIES – Series 500

### ADMISSION OF NONRESIDENT STUDENTS/ASSIGNMENT OF RESIDENT STUDENTS – 500.10

The Gayville-Volin School District will accept students from other districts wishing to enroll provided the Gayville-Volin School District can provide a quality educational program based upon factors/criteria/standards adopted by the Board (see Section B below) and subject to the following general principles.

[For the purposes of this policy, the term “resident district” means the district in which a student has legal residence as determined by SDCL 13-28-9. The term “nonresident district” means the school district in which a nonresident student seeks to enroll. An “emancipated student” is a student under the age of 18 who (1) has entered into a valid marriage, (2) is on active military duty, or (3) who has obtained a court order declaring the child emancipated.]

#### A. GENERAL PRINCIPLES

- 1) A student who is a legal resident of another South Dakota district seeking to open-enroll into the Gayville-Volin School District must apply to the Gayville-Volin School District. The application must be on forms provided by the Department of Education and available in the Superintendent’s office. The application must be made by the student’s parents or guardian (if the student is under age 18) or by an emancipated student.
- 2) For nonresident student transfers, parents/guardians or the emancipated student shall authorize the resident district to provide copies of the student’s educational, attendance and discipline records to the Gayville-Volin School District.
- 3) The applications for nonresident students will be approved or disapproved by a three member committee made up of **the School Board President, Superintendent and the enrolling principal.**
- 4) Once approved by the Gayville-Volin School District, the student must attend school in the Gayville-Volin School District for the next school year (subject to A.2. above) unless: (a) a nonresident student wishes to return to their original district, and the school boards of both districts agree in writing to allow the student to return to the original district, or (b) the parent, guardian, or student moves and establishes residence in another school district.

## **STUDENT POLICIES – Series 500**

### **ADMISSION OF NONRESIDENT STUDENTS/ASSIGNMENT OF RESIDENT STUDENTS – 500.10/P2**

- 1) Once a nonresident student is enrolled in the Gayville-Volin School District or a resident student enrolls in a different attendance center, the enrollment will be continuous from one school year to the next unless: (a) the parents/guardians or emancipated student changes residence into another school district or (b) a subsequent transfer application is received and approved.
- 2) The Gayville-Volin School District will accept credits granted for any course successfully completed in another state accredited school. The Gayville-Volin School District will award a diploma to a nonresident student only if the student satisfactorily meets the Gayville-Volin School District's graduation requirements.
- 3) Transportation to and from school for a nonresident student attending school in the Gayville-Volin School District is the responsibility of the applicant/family.
- 4) Federal and state laws require that the resident district be responsible for providing a free and appropriate public education for students receiving special education or special education and related services. All transfer applications for nonresident special education students into the Gayville-Volin School District must be considered by a special education placement committee, and the placement committee must include representatives of both the Gayville-Volin School District and the resident district. In order to provide sufficient time for a placement committee meeting to be convened, parents/guardians are asked to submit the application by January 15 of the current school year.

## **STUDENT POLICIES – Series 500**

### **ADMISSION OF NONRESIDENT STUDENTS/ASSIGNMENT OF RESIDENT STUDENTS – 500.10/P3**

#### **B. RULES AND REGULATIONS**

The following factors/criteria/standards will be considered by the Board with respect to each application, and the acceptance of the application, for students wishing to enroll in the Gayville-Volin School District:

- 1) The committee determines the District would not be able to provide a quality educational program to the student.
- 2) The applicant is currently serving a suspension or expulsion from another district.
- 3) The committee determines there is no sufficient program or resources to provide the enrolling student.
- 4) If the applicant has been convicted of a weapons charge relating to schools.

## **STUDENT POLICIES – Series 500**

### **ADMISSION OF NONRESIDENT STUDENTS/ASSIGNMENT OF RESIDENT STUDENTS – 500.10/P4**

- 1) If a nonresident student applicant is under suspension or expulsion in the resident district at the beginning of the school year in which the student would otherwise enroll state law prohibits the student from enrolling in the Gayville-Volin School District during the period of suspension or expulsion. However, the Board may approve an application from a nonresident student with enrollment to begin following the suspension or expulsion.
- 2) Appeals of a board decision to deny an application submitted under this policy are to be made to Circuit Court pursuant to SDCL ch. 13-46.

Adopted: October 13, 1997  
Revised: November 2, 1999  
July 9, 2001

LEGAL REF: SDCL 13-28-9



## **STUDENT POLICIES – Series 500**

### **ADMISSION OF EXCHANGE AND FOREIGN STUDENTS – 500.11**

Foreign students must meet all district entrance requirements (i.e., age, place of residence, immunization). Students who are citizens of a foreign country will be considered residents if they meet one of the following requirements:

- 1) The student resides with his/her parent(s) or legal guardian;
- 2) The student is a participant in a foreign exchange program approved by the school board
- 3) The student is accepted as a resident under South Dakota Codified Laws; and
- 4) The student is in the United States with appropriate documentation (Form I-20) from the United States Department of Justice - Immigration and Naturalization Services.

Proper I-20 forms and the other required papers must be processed by the district, the student, and the sponsoring organization before an international student can be formally admitted to school. The school board reserves the right to limit the number of foreign exchange students, require a proficiency level of English, and limit participation to grades 11 and 12 in order to insure the continued quality of educational programming in the school district.

LEGAL REF:           SDCL 13-27-3.1  
                              13-28-5  
                              13-28-7,7.1  
                              13-28-9  
                              13-28-10  
                              Immigration Reform and Control Act of 1986

## **STUDENT POLICIES – Series 500**

### **STUDENT WITHDRAWAL FROM SCHOOL – 500.12**

Student withdrawal from school may be classified into two categories: Those who transfer to another school system, either public or private, and those who withdraw from permanent attendance at any school (dropouts).

If a student wishes to withdraw from school to transfer to another school district he/she should see the principal who will instruct them as to procedure. When transferring to another school, a student should make arrangements with the office to forward credit to the proper school. All outstanding obligations to the school the student is currently enrolled in must be satisfied before credit can be transferred.

The instructional staff should be alert to potential dropouts and do everything possible to give the necessary guidance to such students. The regular school program should be organized and modified to suit the student's needs and aspirations. Conferences with parents may be necessary. All students should be asked to notify the principal before withdrawing. The school should keep in contact with students who have withdrawn.

Students who are 18 years of age, and who have parent or guardian written approval to withdraw, may withdraw from school. Each student will be informed of his or her right to be readmitted to school upon request.

Students seeking re-admittance to the district will be permitted to re-enroll at the beginning of established semesters. They will be required to provide notification of their intent to re-enroll one week prior to the start of a semester.

## STUDENT POLICIES – Series 500

### STUDENT ATTENDANCE – 500.13

If it is necessary for a student to be absent, the parent/guardian is asked to phone the office (267-4476) 30 minutes prior to the start of the school day.

For students to receive an excused absence, parents must send a note, call the school or stop by the office.

Students leaving during the school day must first notify the office and obtain a pass or the absence will be unexcused.

If an absence is anticipated or known in advance, the parent is asked to phone the office or send a signed note excusing the anticipated absence.

Absence from school is counted whether the cause of the absence is considered excused or unexcused. The school reserves the right to make the determination. Absence due to school sponsored participation does not count toward accumulated absences.

Students having unexcused absences will be given a “0” grade for work missed during that time. Other disciplinary action deemed necessary would be determined by the administration. Parents will be notified of the absence and action taken. Continued offenses will result in suspension not to exceed three days.

Upon reaching 7 absences, the student will be contacted by the Principal. In addition, parents are contacted and a conference/contact may be requested. This notification also indicates that the student attendance record will be subject to review by the Attendance Review Committee at absence number 10.

Upon reaching the 10<sup>th</sup> absence in any class, the student will lose credit for that class unless extenuating circumstances exist. The Attendance Review Committee which meets periodically throughout the year will review the reasons for the absences and make the recommendation to continue the attendance with full credit, or to remove the student from the class with a loss of credit in that class.

Students who have been absent for 10 consecutive days and have not contacted the school may be dropped from the roll.

Students are allowed one-day make-up time for each absence. Students are expected to obtain missed assignments the day they return to school.

It will be the responsibility of students to make the needed arrangements to complete make-up work.

## **STUDENT POLICIES – Series 500**

### **ABSENTEE SLIPS – 500.14**

When a student is absent, he/she is to bring a note from home signed by a parent or legal guardian stating the reason for the absence. The student will use his or her planner, that is then presented to his/her teacher for each period missed. The teacher should assign the make-up work and initial the planner when the work is completed. Students will be allowed one day for each day absent to make up work. Students will use their planner to record work they will miss due to participation in extra-curricular activities. All schoolwork must be completed in advance and planner must be initialed by teacher for activity sponsor to view before leaving for the scheduled event. Failure to produce planner will prohibit attendance at the event.

## **STUDENT POLICIES – Series 500**

### TRUANCY – 500.15

The truancy officer is the district's Superintendent. He/she will be responsible for enforcing the compulsory attendance laws which require regular attendance, provide for penalties if parents and guardians do not carry out their responsibilities, and establish procedures for referral of a truant student to juvenile authorities.

LEGAL REF:           SDCL 13-27-14  
                              13-27-16  
                              13-27-18 through 13-27-21

## **STUDENT POLICIES – Series 500**

### **STUDENT DISMISSAL PRECAUTIONS – 500.16**

Students in any school, grade, or class may not be dismissed before the regular hour of dismissal except with the approval of the principal or his/her designee.

A teacher may not permit any individual student to leave school prior to the regular hour of dismissal except by permission of the principal.

No student will be permitted to leave school prior to the dismissal hour in the company of anyone other than a school employee, or parent of the child unless the permission of the parent has been first secured.

## **STUDENT POLICIES – Series 500**

### **STUDENT ATTENDANCE ACCOUNTING – 500.17**

As required by state law, the Superintendent will be responsible for an accurate record of the attendance or nonattendance of all students who should be enrolled in school.

The school district truancy officer will also keep a record of all those children who are required by law to be enrolled in school and who do not attend, or whose attendance is irregular.

LEGAL REF:           SDCL 13-27-9  
                              13-27-15  
                              13-27-17

## **STUDENT POLICIES – Series 500**

### **STUDENT RIGHTS AND RESPONSIBILITIES – 500.18**

- 1) Civil Rights – including the rights to equal educational opportunity and freedom from discrimination; the responsibility not to discriminate against others.
- 2) The right to attend free public schools; the responsibility to attend school regularly and to observe school rules essential for permitting others to learn at school.
- 3) The right to due process of law with respect to suspension and expulsion.
- 4) The right to free inquiry and expression; responsibility to observe reasonable rules regarding these rights
- 5) The right to privacy, which included privacy in respect to the student's school records.

As part of the educational process, students should be made aware of their legal rights and of the Board's right to make, and to delegate authority to its staff to make, rules regarding orderly operation of the schools.



## **STUDENT POLICIES – Series 500**

### **STUDENT DUE PROCESS RIGHTS – 500.19**

All students are entitled to due process with disciplinary actions such as suspension or expulsion. The Board and school officials have the legal authority to deal with disruptive students and student misconduct. Due process, in the context of the administrative proceedings carried out by school authorities, refers to the hearing procedures established by the State Board of Education.

Due process procedures will conform to the following basic practices:

- 1) They must be fair
- 2) They must apply equally to all.
- 3) They must be enforced in a fair manner, which involves:
  - a) Adequate and timely notice and an opportunity to prepare a defense.
  - b) An opportunity to be heard at a reasonable time and in a meaningful manner.
  - c) The right to a speedy and impartial hearing on the merits of the case.

The Gayville-Volin School District #63-1 has adopted a policy for Student Due Process. The policy adopted is taken from rules established by the State Board of Education and copies of this policy are on file in the principal's office.

### **SPECIAL EDUCATION STUDENTS**

Students who attend public school on an individualized educational program (IEP) are subject to due process procedures established by the South Dakota Board of Education under administrative rules for special education. The administration shall consult with a student's individualized education program (IEP) team to balance student disciplinary actions with the provision of a free and appropriate public education for students with disabilities.

LEGAL REF:            ARSD 24:05:26  
                              24:05:26.01  
                              24:05:30  
                              24:07  
                              SDCL 1-26-26  
                              13-32-4  
                              13-32-4.2

## **STUDENT POLICIES – Series 500**

### **STUDENT HANDBOOK – 500.20**

Student handbooks, as approved by the Board of Education, are an extension of Board policy. Handbooks are to be reviewed yearly. Any change or revision in the student handbook must be approved by the Principals.

## **STUDENT POLICIES – Series 500**

### **ALCOHOL AND SUBSTANCE ABUSE – 500.21**

The following document outlines policy on student abuse of psycho-active or mood-altering chemicals in the school district. This policy is in effect on property owned, leased or maintained by the school district, at all school sanctioned activities on and off campus, on vehicles used to transport students to and from school or at other activities and in vehicles parked on school property.

Student and parent members of the school community are expected to be aware of and understand these policies and comply with them. A copy of the policy will be provided to all students and parents.

A student shall not possess, use, distribute, transfer, conceal, sell, attempt to sell, deliver, or be under the influence of alcohol and/or other drugs. Students shall not engage in alcohol and/or other drug use/abuse, nor possess paraphernalia specific to the use of alcohol and/or other drugs.

Prescription drugs authorized by a licensed physician do not violate this policy if the student(s) conform to the prescription and appropriate school policies.

### **VIOLATIONS**

I. The following procedures will be used in dealing with possession, use, transmission, paraphernalia possession, or being under the influence of illicit drugs and alcohol.

#### **A. First Offense**

1. The administration will suspend the student for five (5) days in compliance with student due process procedures.
2. The administration will try to notify the parent(s)/guardian(s) by phone to explain the incident and arrange a conference.
3. Within thirty-six (36) hours, the administration will notify the parent(s)/guardian(s) in writing of the suspension.
4. Notify law enforcement authorities.

## **STUDENT POLICIES – Series 500**

### **ALCOHOL AND SUBSTANCE ABUSE – 500.21**

The suspension of a student who agrees to be evaluated and treated will be commuted to three (3) days. The administration will provide a list of agencies/professionals that can do the assessment and provide treatment. Fees for this assessment and treatment are the responsibility of the student and family.

Upon receipt of appropriate authorization, the agency or professional will notify the school administration that the student is willing to be evaluated and comply with the treatment process.

#### **B. Second and subsequent offenses.**

1. The administration will suspend the student for five (5) days in compliance with student due process procedures.
2. The administration will contact the parent(s)/guardian(s) to arrange for a conference.
3. Notify available law enforcement authorities.
4. Within thirty-six (36) hours, the administration will notify the parent(s)/guardian(s) in writing of the suspension.
5. The administration will recommend to the School Board that the student be expelled unless the following procedure is followed:
  - a. The student must agree to be evaluated and treated by a trained chemical dependency counselor or a licensed physician trained in chemical dependency.
  - b. Upon appropriate authorization, the agency or professional notifies the administration that the student has accepted treatment. If the student is accepting treatment, the recommendation for expulsion may be commuted. Fees for this assessment and treatment are the responsibility of the student and family.

#### **II. The following procedures will be used in dealing with supplying, distributing, or selling narcotics, drugs, alcohol, or any controlled substances.**

1. Supplying or selling chemicals will result in a five (5) day suspension.
2. Within thirty-six (36) hours, the administration will notify parent(s)/guardian(s) in writing of the suspension.
3. The administration will refer the case to law enforcement authorities.
4. A hearing on the case will be conducted by the School Board pursuant to due process rules for expulsion. Expulsion may be recommended by the Superintendent.

## **STUDENT POLICIES – Series 500**

### **ALCOHOL AND SUBSTANCE ABUSE – 500.21**

- III. Students who visibly appear to be impaired from use of the illicit drugs/alcohol will be referred to the administration. The administration will determine whether to contact the parent for further instruction, refer to the emergency authorization form or immediately seek additional medical treatment. Following the handling of the medical emergency, this Policy Statement for Chemical Abuse will be followed.

LEGAL REF:           Public Law 101-226

## **STUDENT POLICIES – Series 500**

### **TOBACCO / CONTROLLED SUBSTANCES – 500.22**

The use of tobacco, alcohol or a controlled substance by students on school property or in school buildings or at school events out-of-town involving Gayville-Volin representative groups shall be prohibited. Offenses of this policy will follow the overall discipline plan of the district.

Possession of tobacco, liquor or a controlled substance in any form is prohibited on school property at any time. The penalty for a violation of this rule is the same as under the section above.

## **STUDENT POLICIES – Series 500**

### **DANGEROUS WEAPONS IN THE SCHOOLS – 500.23**

Dangerous and/or illegal weapons will not be brought to school or school sponsored activities. Weapons will be taken from students and reported to the student's parents. Confiscation of weapons shall be reported to the police. Appropriate disciplinary and/or legal action shall be pursued by the administration.

A dangerous and/or deadly weapon is defined as any firearm, knife, device, instrument, material or substance that is designed to inflict serious bodily harm or death.

No firearms are permitted on any school premises, school vehicle or any vehicle used for school purposes, in any school building or other building or premises used for school functions. An exception would be weapons under the control of law enforcement personnel, starting guns while in use at athletic events, firearms or air-guns at fire ranges, gun shows, authorized supervised school training sessions for the use of firearms and to the ceremonial presence of unloaded weapons at color guard ceremonies. Any violations shall be reported to local law enforcement authorities.

LEGAL REF:           SDCL 13-32-4.2  
                              13-32-7  
                              22-1-2

## **STUDENT POLICIES – Series 500**

### **STUDENT CONDUCT ON SCHOOL BUSES – 500.24**

Buses are provided for those students whose distance from school or health make this service essential. Misconduct on buses will not be tolerated and will result in forfeiture of the privileges of riding.

Students are expected to discipline themselves and comply with the instructions of the bus operator. The driver will be in full charge of the bus and the passengers. There must be no disturbance of any kind that might distract the driver and imperil the safety of the passengers.

Students will observe the following rules of conduct while riding school buses.

- 1) Students should always be at the bus stop at least five minutes before the bus is scheduled to be there. Students should remain well back from the roadway while awaiting the arrival of the bus.
- 2) Bus riders should not move to board a bus until it is completely stopped and the door is open.
- 3) Students will enter the bus in an orderly fashion and go directly to a seat. Students must stay in their seats and in a sitting position when the bus is in motion.
- 4) Bus riders should leave their seats only after the bus has come to a complete stop at their bus stop.
- 5) Bus riders who must cross a street at their bus stop will cross in front of the bus.
- 6) Students will keep their hands, arms and heads inside the bus.
- 7) Shouting, screaming, smoking, running, fighting, vulgar talk and pushing are not permitted.
- 8) All articles such as athletic equipment, books, musical instruments, etc., must be kept out of the aisles.
- 9) No drinking or eating is permitted on the bus.
- 10) All riders should help to keep the bus clean and sanitary on the inside.
- 11) Any damage to the bus will be paid for by the rider inflicting the damage and will be subject to suspension or expulsion from school.
- 12) Bus riders are expected to be courteous and obedient to bus drivers at all times.



## **STUDENT POLICIES – Series 500**

### STUDENT CONDUCT ON SCHOOL BUSES – 500.24/P2

- 13) Parents and students will be informed of these regulations at the beginning of each school year, and parents will be asked to return signed forms indicating that the regulations have been received and read

LEGAL REF:           SDCL 13-32-3  
                              13-32-5

## **STUDENT POLICIES – Series 500**

### **INTERROGATIONS AND SEARCHES – 500.25**

#### Searches by Staff

A search will be made whenever school authorities believe articles (contraband) are in violation of school policy. Lockers remain the property of the school district. The school district has the right of access to these lockers at any time for any reason.

The following rules apply to the search of school property assigned to a student and the seizure of items in his/her possession:

- 1) School authorities should have reasonable cause to perform a search of school property.
- 2) Search of an area assigned to a student should be conducted in his/her presence and with his knowledge.
- 3) School authorities may, at any time, seize illegal items (drugs, weapons, etc.) or other possessions reasonably determined to be a threat to the safety or security of others.
- 4) General housekeeping inspection of school property may be conducted with reasonable notice.

#### Searches of Student Property by Police

A proper search warrant is required for any search of a student's personal property kept on school premises. Searches may be conducted without a previously issued warrant if the police have reason to believe any item that may pose an immediate threat to the safety or security of others is in a student's personal property or school property.

## **STUDENT POLICIES – Series 500**

### **STUDENT COMPLAINTS AND GRIEVANCES – 500.26**

Student complaints and grievances are to be resolved at the lowest possible level. Channels will be provided for eventual hearing by the Board in instances when this becomes necessary.

Therefore:

- 1) Any student or his/her parent(s) or guardian(s) will be provided the opportunity to discuss with the student's teacher a decision or situation which he/she considers unjust or unfair.
- 2) If the incident remains unresolved, the student or his/her parent(s) or guardian(s) or the teacher, may bring the matter to the principal's attention.
- 3) The student may also bring a matter of general student concern to the attention of class officers, the student council or to the administration.
- 4) Complaints that remain unresolved following any action of the administration may be referred in writing to the Board for review.

The Board's decision will be final unless an appeal hearing is requested.

## **STUDENT POLICIES – Series 500**

### **STUDENT SUSPENSION/EXPULSION – 500.27**

The Board has the authority to suspend or expel students beyond ten days for violation of school policies. Principals are authorized to suspend students for not more than ten school days. The Superintendent is authorized for not more than 90 days.

In case of a suspension by the Superintendent for more than ten school days, the student or his/her parents or others having his/her custodial care may appeal the decision to the Board of Education.

A suspension may be imposed when a student's behavior creates a threat to his/her own or other's safety or imposes a threat to property or premises. Such behaviors include fighting, committing an assault (physical or verbal), stealing, vandalism, possessing weapons, explosives or other prohibited materials; or making false alarms or bomb threats, on the school premises or at school activities.

Students who are guilty of continued serious misconduct which results in repeated suspension and who therefore interfere with the opportunity of other students to carry on their learning activities may be recommended to the Board for expulsion from school.

LEGAL REF:           SDCL 13-32-4  
                              13-32-4.2  
                              13-32-5  
                              ARSD 24:07:01  
                              24:07:02  
                              24:07:03  
                              24:07:06  
                              24:07:08

CROSS REF:           JFA, Student Due Process Rights  
                              JFC, Student Conduct

## **STUDENT POLICIES – Series 500**

### **SUSPENSION – 500.28**

During in-school suspension, a student will come directly to the principal's office when arriving at school. Students will be given class work to do and are expected to finish the work in the same time frame as their regular class. Students will receive the grades they earn.

During out-of-school suspension, the student will receive no credit for work assigned during the suspension period.

Students serving suspension time will not participate in any school sponsored activities during the suspension time. The time of suspension will be the end of the school day on the last day of suspension.

**STUDENT POLICIES – Series 500**

**STUDENT SUSPENSION/EXPULSION FORMS – 500.29**

Notice of hearing for Long-Term Suspension or Expulsion

You are hereby notified that \_\_\_\_\_ is charged with violating the following rule, regulation or policy of the Gayville-Volin School District #63-1. We have in our possession \_\_\_\_\_ which we seized from \_\_\_\_\_ at the time of the alleged violation (if material evidence was seized and is at hand by the Superintendent). Persons witnessing the alleged violation include: \_\_\_\_\_.  
(List anyone the administration will call as a witness to prove the violation). We have set a hearing before the Board to hear this matter on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ o'clock \_\_.am/pm. at \_\_\_\_\_. The hearing shall permit opportunity for \_\_\_\_\_ or his/her representative to present his/her side of the story and confront his/her accusers and witnesses. The purpose of the hearing is to allow the administration to suspend \_\_\_\_\_ for a period of more than ten days. Evidence and some of the student’s records are available for inspection by the student, his/her parent, guardian or other responsible person and his/her representative.

You are further notified of the right to waive a hearing. Such waiver must be made through written notification to the Superintendent at least 24 hours prior to the time set for hearing. This right may be exercised by use of the attached waiver form.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Superintendent

**STUDENT POLICIES – Series 500**

STUDENT SUSPENSION/EXPULSION FORMS – 500.29/P2

Waiver

I hereby waive my right to a hearing in the matter of potential suspension or expulsion from school for the alleged misconduct of \_\_\_\_\_. Said hearing was set for the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
(Student)

\_\_\_\_\_  
(Parent, guardian, or other responsible person)

**STUDENT POLICIES – Series 500**

STUDENT SUSPENSION/EXPULSION FORMS – 500.29/P3

Finding of Fact

In the matter of the Proposed Expulsion (Suspension) or \_\_\_\_\_ DECISION

THE ABOVE ENTITLED MATTER coming on for hearing on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_ o'clock \_\_.m., before the School Board of the Gayville-Volin School District, all members present.

President of the Board presiding, and the Board being represented by \_\_\_\_\_, their attorney; and \_\_\_\_\_ appearing in person with his/her parent, \_\_\_\_\_, and by their attorney, \_\_\_\_\_; and the Board having heard the testimony and having examined and discussed the evidence offered by the witnesses and the matter having been submitted to the Board for decision, the Board does hereby make its decision, (one member dissenting) to expel (suspend) \_\_\_\_\_ from any further attendance at Gayville-Volin School for \_\_\_\_\_ days based upon the following Findings of Fact:

**FINDINGS OF FACT**

1. The Gayville-Volin School Board finds that \_\_\_\_\_ was \_\_\_\_\_ on \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_.
2. The Gayville-Volin School Board finds that said conduct by \_\_\_\_\_ was in violation of the Gayville-Volin School District's policy.
3. The Gayville-Volin School Board finds that said action \_\_\_\_\_ violated Board Policy.
4. The Gayville-Volin School Board finds that \_\_\_\_\_ and his/her parents, \_\_\_\_\_ have been given notice of the punishment to be recommended upon a \_\_\_\_\_ violation.

Dated at \_\_\_\_\_, South Dakota, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
President, School Board



## **STUDENT POLICIES – Series 500**

### **CLASSROOM BEHAVIOR PROCEDURES – 500.30**

- 1) Students will be given the opportunity to modify inappropriate behavior.
- 2) Students may receive a “Time Out” at the discretion of the classroom teacher.
- 3) If behavior problems continue, parents will be contacted.
- 4) Further instances of inappropriate behavior will result in a written referral to the school administration.
- 5) School administration will take appropriate action.

The teachers will handle minor disruptions and disturbances in the classroom. Actions to be taken include student conferences, detention after school, make-up work or any other corrective action the teacher deems necessary. Teachers will keep a written record of specific disciplinary actions taken. The teachers will inform parents by phone or by written note of the misbehavior of the student.

If a student is removed from the classroom please refer to the student handbook.

## **STUDENT POLICIES – Series 500**

### **STUDENT HEALTH SERVICES AND REQUIREMENTS – 500.31**

The Board will provide a school nurse for the district school. The nurse, with cooperation from school administrators, will be responsible for organizing dental, medical, and immunization clinics for students within the school district.

Student health services will include the following:

- 1) Regular appraisal of the health status of students.
- 2) Counseling of health examinations.
- 3) Encouragement in the correction of defects.
- 4) Help in preventing and controlling diseases.
- 5) Consultation with appropriate staff and parents on the health and physical problems of students as these relate to placement in special problems.
- 6) Maintenance of health records for all students.

The services shall include assessment and implementation of services for students with special needs.

LEGAL REF:           ARSD 24-03:05:10  
                          SDCL 13-33A-1  
                          13-33A-2  
                          13-33A-3

## **STUDENT POLICIES – Series 500**

### **PHYSICAL EXAMINATION OF STUDENTS/INOCULATIONS OF STUDENTS – 500.32**

By law, all entrants must have received or be receiving immunization(s) required by the State of South Dakota.

Exceptions to immunization include certification by a physician that such immunizations would endanger the life or health of the child, or a written statement by the parents that such immunizations are against the religious beliefs of the child's family.

Physical examinations are required for all students who participate in interscholastic athletics. The examination would be administered by a licensed healthcare provider.

Annually, students will also be subject to routine health screenings for hearing and visual acuity, dental, scoliosis, and communicable diseases.

LEGAL REF:           SDCL 13-28-7.1  
                              13-28-7.2

## **STUDENT POLICIES – Series 500**

### **ADMINISTERING MEDICINES TO STUDENTS – 500.33**

Students will not be permitted to take medication while at school unless such medicine is given to them by the school district administration acting under specific written request of the parent or guardian and under the written instructions of the student's physician.

When such a request is made by a parent or guardian, a full release from the responsibilities pertaining to the administration and consequences of such medications must also be presented to the principal by the student's parent or guardian.

The above policy covers all prescription and other drugs, except that pain reliever may be given at the discretion of the administration upon written authorization of the parent or guardian.

LEGAL REF:           ARSD 20:48  
                          SDCL 13-32-10  
                                  13-32-11  
                                  13-32-12  
                                  13-32-13  
                                  13-33A-1  
                                  13-33A-2  
                                  13-33A-3  
                                  36-9-28

## **STUDENT POLICIES – Series 500**

### **STUDENT PSYCHOLOGICAL SERVICES – 500.34**

A teacher or administrator may not refer a student for psychiatric treatment either within or outside the school without the prior written consent of the student's parent or legal guardian.

Established by law

LEGAL REF:       SDCL 13-32-3

## STUDENT POLICIES – Series 500

### REPORTING CHILD ABUSE – 500.35

Any teacher or other school employee who suspects that a child under 18 years of age has been neglected or physically abused (including sexual or emotional abuse) by a parent or other person, will report orally or in writing this information to the administration. The administration should immediately report this information to the state's attorney; or the department of social services; or the county sheriff. If the administration does not confirm to the teacher or other employee within 24 hours that action has been initiated, the employee will report this information directly to one of the above authorities.

The report will contain the following information: name, address, and age of child; name and address of parent or caretaker; nature and extent of injuries or description of neglect; and any other information that might help establish the cause of injuries or condition.

School employees, including administrators, will not contact the child's family or any other persons to determine the cause of the suspected abuse or neglect. It is not the responsibility of the school employees to prove that the child has been abused or neglected, or to determine whether the child is in need of protection, but only to report his/her suspicions of abuse or neglect.

Anyone who participates in making a report in accordance with the law and in good faith is immune from any civil or criminal liability that may otherwise arise from the reporting, or from any resulting judicial proceeding, even if the suspicion is proved to be unfounded.

Any personal interview or physical inspection of the child should be conducted in a considerate, professional manner. Information or records concerning reports of suspected abuse or neglect are confidential. The release to persons other than those provided by law is a Class 1 Misdemeanor. Failure to make report where abuse or neglect is suspected is subject to the same punishment.

Copies of this policy will be distributed by the Superintendent to all school employees at the beginning of each school term, and to new employees when they begin employment if at a different time than the beginning of the school term.

LEGAL REF:           SDCL 26-6-2  
                              26-8A-3  
                              26-8A-6 through 26-8A-15

## **STUDENT POLICIES – Series 500**

### **STUDENT FEES, FINES, AND CHARGES – 500.36**

It is the responsibility of the Board to assure that the children of the district are provided with free public education. Therefore, no fee or charges may be required as a condition of school year attendance, credit in a required course, or for materials or activities that are part of a course requirement. Neither may a fixed activity fee be required of all students, nor class dues exacted. Students will be responsible for the cost of replacing any school district materials or property that is lost or damaged through the student's negligence.

Certain fees and charges, however, may be established under the following conditions:

- 1) Optional activities that are not part of the regular school program, nor essential to success in a course.
- 2) For materials that are optional for use in a course, and when grades or credit are not dependent on their use.
- 3) For materials that will result in shop products, clothing, or other items that the student will take home for personal use.

Certain other items or equipment required of students for personal use may be purchased by the school system and rented to the student. When these are no longer needed by the student, they may be returned to the school, with a refund of the rental fee dependent upon their condition.

LEGAL REF:           SDCL 13-34-16.2  
                              13-34-16.3  
                              13-34-23

## **STUDENT POLICIES – Series 500**

### **LOANING OF TEXTBOOKS – 500.37**

Textbooks will be loaned to children ages 5 through 19 who are not enrolled in the Gayville-Volin School District or a school supported by any other governmental entity upon written request by the child or the child's parent or guardian.

Textbooks loaned shall be the same textbooks normally used by the students enrolled in the Gayville-Volin schools.

If new textbooks must be purchased to meet the request of children not enrolled in the Gayville-Volin schools, the school board may limit the number of textbooks per student to be purchased for loan to the same amount of new textbooks that is furnished to the student enrolled in the Gayville-Volin schools.

LEGAL REF:           SDCL 13-34-23  
                                  13-34-24



## STUDENT POLICIES – Series 500

### STUDENT RECORDS – 500.38

All individual student records of the district are confidential (this extends to giving out individual addresses and telephone numbers). The exception is directory information. School officials will designate certain data relating to the student as “directory or public” information. The release of this data does not require the consent of students, parents, or guardians.

LEGAL REF: Family Educational Rights and Privacy Act (FERPA) of 1974, P.L. 93-380  
According to Public Law 98-380, the Family Rights and Privacy Act of 1974 public notice must be made by the Board of Education of intent to disclose to the press, media and others authorized by the school personally identifiable data designated as directory information. The parent of a student or an eligible student may refuse to be personally identified in any or all of the information categories. Such refusal must be made in writing to the student’s principal within 15 days after the notice is given.

This information will be entitled directory information:

- 1) Student’s name and grade level.
- 2) Participation in officially recognized activities or sports.
- 3) Weight, height, grade level of participant.
- 4) Honors, awards and degrees.
- 5) Other information which denotes accomplishments and achievements.
- 6) Individual and group photographs pertaining to any of the above activities.
- 7) Dates of attendance.
- 8) Most recent previous education agency or institution attended by the student.

In accordance with the Board’s policy pertaining to student records, the following regulations have been established.

- 1) The Board will provide annual notification to the parents of students in attendance of the types and locations of student records maintained by the school district, and the titles and addresses of the officials responsible for those records.
- 2) Those categories of information that are not designated as “directory information” will not be released to any third party excluding administrative use for a legitimate educational purpose, without the written consent of the parent or guardian. This written consent will specifically include which records are to be released, the reasons for such disclosure, and to whom the disclosure may be made.
- 3) The school district will comply with a request to inspect and review the educational records of a student within 45 days of the request.
- 4) A parent or guardian also has the right to obtain copies of the records when this is necessary to adequately review the records.

## **STUDENT POLICIES – Series 500**

### **STUDENT RECORDS – 500.38/P2**

After inspection of the records, a parent or guardian who believes that information contained in the record is inaccurate, misleading, or otherwise violates the student's privacy rights, he/she may request the school district to amend them.

If the school district refuses to amend the record, it will inform the parent of the right to have a hearing. This hearing will be conducted by a party that does not have a direct interest in the outcome, and will allow the parent full and fair opportunities to be represented by counsel and to present evidence on the issue.

If, as a result of the hearing, the district again decides that the record does not contain inappropriate material and refuses to amend it, the district will inform the parent of the right to place a statement in the record commenting on the disputed information and the reason for disagreeing with the decision of the school district. Such a statement will be maintained as a permanent part of the student's record and will be disclosed along with the rest of the record.

If any records are to be released to comply with a judicial order or subpoena, the parent or guardian will be given advance notice of such an order.

Any transfer of records to a third party will be on the express condition that he/she will not permit any other party to have access to the information without the written consent of the parents.

Whenever a student has attained 18 years of age or is enrolled in an institution of post-secondary education, the right accorded to and the consent required of the parent shall only be accorded to and required by the student.

LEGAL REF:           20 .S.C., 1233g  
                          45 C.F.R., 99.1 et seq.  
                          CPLR, 2307

## **STUDENT POLICIES – Series 500**

### **ACCEPTABLE USE POLICY (AUP) GAYVILLE-VOLIN SCHOOL DISTRICT – Internet Accounts 500.39**

#### Introduction

The Internet links thousands of computer networks around the world, giving Gayville-Volin School District students access to a wide variety of computer and information resources. In general, electronic traffic passes freely in a trusting atmosphere with a minimum of constraints.

Gayville-Volin School District does not have control of the information on the Internet. Some sites accessible via the Internet may contain material that is inappropriate for educational use in a K-12 setting. Gayville-Volin School District and the system administrators do not condone the use of such materials and do not permit usage of such materials in the school environment.

Gayville-Volin School District specifically denies any responsibility for the accuracy or quality of information obtained through its Internet accounts.

#### Student Guidelines

Any action by a student that is determined by their classroom teacher or a system administrator to constitute an inappropriate use of the Internet at Gayville-Volin School District or to improperly restrict or inhibit others from using and enjoying the Internet is a violation of the AUP.

Transmission of material, information or software in violation of any school district policy, or local, state or federal law is prohibited and is a breach of the AUP.

Violating the Acceptable Use Policy may result in:

- 1) restricted network access,
- 2) loss of network access,
- 3) Disciplinary or legal action including, but not limited to, criminal prosecution under appropriate state and federal laws.

In order to ensure smooth system operations, the System Administrators has the authority to monitor all accounts. Every effort will be made to maintain privacy and security in this process.

**STUDENT POLICIES – Series 500**

ACCEPTABLE USE POLICY (AUP)  
GAYVILLE-VOLIN SCHOOL DISTRICT – Internet Accounts  
500.39/P2

Student Access Contract

I understand that when I am using the INTERNET or any other telecommunication environment, I must adhere to all rules of courtesy, etiquette and laws regarding access and copying of information as prescribed by either federal, state or local law, Technology International and the Gayville-Volin School District.

My signature below, and that of my parent(s) or guardian(s), means that I agree to follow the guidelines of the Acceptable Use Policy for Internet Access at Gayville-Volin School District.

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

Parent or Guardian Consent

(If the applicant is under the age of 18 a parent or guardian must also read and sign this agreement.) We ask you to review this policy with your child and to sign the consent form.

Your child’s teacher has already discussed this policy with your son or daughter.

If you have any questions about the network curriculum activities, please call your child’s teacher. If you would like more information about the Gayville-Volin School District Internet accounts, please contact the Superintendent of Schools at (605) 267-4476.

As the parent or guardian of this student I have read the Acceptable Use Policy for the Gayville-Volin School District Internet Access. I hereby give my permission for my child to use the Internet through classroom curriculum projects.

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Date

## **STUDENT POLICIES – Series 500**

### **STUDENT SOLICITATIONS – 500.40**

The solicitation of donations and contributions from students will be restricted to fund-raising drives approved by the Administration.

Any outside organization desiring to distribute flyers or other materials to students in connection with fundraising drives may do so only with the approval of the Superintendent.

# INSTRUCTION POLICIES

## Series 600

### 600 INSTRUCTION POLICIES

- 600.1 Curriculum Development
- 600.2 Curriculum Adoption
- 600.3 Programs For Handicapped Children
- 600.4 Home-Bound Instruction
- 600.5 Alternative School Programs
- 600.6 Extended Instructional Programs
- 600.7 Advanced College Placement
- 600.8 Student Performances
- 600.9 Student Activities Funds Management
- 600.10 Interscholastic Athletics
- 600.11 Class Size
- 600.12 Textbook Selection and Adoption
- 600.13 Library Materials Selection and Adoption
- 600.14 Promotion and Retention of Students
- 600.15 Graduation Requirements
- 600.16 Policies for Distance Learning Consortium Operations
- 600.17 District Owned Computers

## **INSTRUCTION POLICIES – Series 600**

### **CURRICULUM DEVELOPMENT – 600.1**

Rapid social change, technological development, and expansion of knowledge are facts of contemporary life. Public education must respond appropriately. Therefore, it is imperative that individual schools, the school system as a whole, and the Board continuously review and evaluate existing programs and practices, and adjust, modify, or change them as found advantageous in effectively meeting the needs of students and the expectations of the community. Therefore, the Board expects:

- The administration and faculty to be perpetually sensitive to changing conditions that may require changes in curriculum
- All programs to be under continuous evaluation to see that they meet the needs of children
- The school system to undertake intensive curriculum evaluation and revision in certain areas from time to time as the need for this is demonstrated

The Board will hear regular reports on district programs and ongoing curriculum study and revision. It will consider recommendations of the staff for intensive curriculum study and may authorize the establishment of task forces to work in particular areas. It will also be receptive to the desires of parents and students in considering changes in the curriculum.

As found desirable, the Board may appoint advisory committees and/or ad hoc Board committees to join with the faculty in examining desirable changes in particular areas.

Recommendations for curriculum changes submitted through appropriate channels will be acted upon by the Board. The curriculum will always be prescribed by the Board in accordance with state requirements.

ASBSD:       Section I: Instruction > IF: Curriculum Development

## **INSTRUCTION POLICIES – Series 600**

### **CURRICULUM ADOPTION – 600.2**

The Board will rely on its professional administrators to design and implement instructional programs and courses of study that will forward the educational goals of the school district.

The Superintendent will have authority to approve new programs and courses of study after such changes have been thoroughly studied and found to support educational goals. The Board itself will consider, and officially adopt, new programs and courses only when they constitute an extensive alteration in instructional content or approach. (An example might be the adoption of an innovative sequential program in a basic subject-matter area for all elementary grades.)

However, the Board wishes to be informed of all new courses and substantive revisions in curriculum. It desires to receive reports on changes under consideration, and an annual report on programs and courses offered in the schools. Its acceptance of these annual reports, including a listing of the high school program studies, will constitute its official adoption of the curriculum.



## **INSTRUCTION POLICIES – Series 600**

### **PROGRAMS FOR HANDICAPPED CHILDREN – 600.3**

In keeping with the philosophy that a public school system is responsible for the education of all children within the community and, further, that every child is entitled to equal education opportunity, the Board will provide programs and services designed to meet the individual needs of handicapped children, birth through 21.

The ultimate goal of these programs will be to have children with handicapping conditions become as self-sufficient as their handicaps permit and to increase their life options and opportunities for personal liberty, happiness, and participation in our society.

Seeking out young children with handicapping conditions so that they may receive special instruction in early childhood is part of this responsibility. The purpose of identifying these and older children and their handicaps is not to categorize them as handicapped, but to determine and provide the most appropriate education and related service possible for each one.

The Board believes that most children with handicaps can be educated in the regular school program if they are given special instruction, accommodations, and the support they need. These children should also be given opportunity to participate in the school's nonacademic and extracurricular activities.

However, the Board recognizes that the needs of certain children are so great that special programs, special classes, or special schools may be necessary. When appropriate programs, services, or facilities are not possible within the district's schools, the district will provide these children with access to schools where such instruction and accommodations are available.

It is the desire of the Board that the schools work closely with parents in designing and providing programs and services to children with handicaps. Parents must be informed, and conferred with, whenever a child is referred for a comprehensive evaluation of a diagnosis of learning disability or other handicap. In event of any disagreement concerning diagnosis, program plan, special placement, or evaluation, the parents must be accorded the right of due process. The schools must also obtain parental consent before releasing the child's records to anyone other than a school official.

The Board will secure properly trained personnel to work with the handicapped children. The financial commitment necessary to meet the needs of all handicapped children is extensive, and the Board, in accordance with state law, will include an amount in the district tax levy, which will be earmarked as the special education fund, to meet the needs of children who require special or prolonged assistance. In addition, the Board will seek other available funding for these programs.

## **INSTRUCTION POLICIES – Series 600**

### **PROGRAMS FOR HANDICAPPED CHILDREN – 600.3/P2**

#### **DEVELOPMENT OF AN INDIVIDUAL EDUCATION PROGRAM (IEP)**

A local placement committee will be comprised of parents, the child when appropriate, the Superintendent or designee, a regular classroom teacher receiving or referring a child, an educator from the field of special education, and, if necessary, an evaluator to interpret the multidisciplinary data. This committee will be responsible for the identification of handicapped children, the diagnosis of handicaps, the design of an individual education program (IEP), and for placement and evaluation procedures. All procedures will be in accordance with federal and state requirements.

The individual plan determined by the local placement committee will be developed in accordance with each child's individual needs. The IEP will be approved by the local placement committee. The plan will provide for frequent reevaluation of the child's needs, progress, and of the effectiveness of the program being offered.

The local placement committee will base its decision as to whether to place a child in a regular classroom, or in a special program, class, or school on the best interests of the child. However, the needs of other children in the school will also be considered.

LEGAL REF:            ARSD 24:05  
                             Americans with Disabilities Act of 1990  
                             Public Law 108-446  
                             Rehabilitation Act of 1973, Section 504  
                             Section 504 of the Rehabilitation Act of 1973  
                             Title 20 US Code. §1400 et seq.  
                             Title 29 US Code §794  
                             Title 34 CFR part 300 et seq.  
                             Title 42 US Code §12101-12103  
                             SDCL 13-37

## **INSTRUCTION POLICIES – Series 600**

### **HOMEBOUND INSTRUCTION – 600.4**

The Board will provide, as appropriate, homebound instruction for students who are expected to be out of school for an extended period of time due to illness or injury, upon the request of the parents and with the approval of the family physician.

In each case, the physician must certify that the student will be unable to attend school for the length of time specified and that he is capable of receiving home instruction.

Upon the recommendation of the building principal to the Superintendent, either a homebound instructor will be employed, or a classroom teacher will provide instruction after regular school hours with compensation set by the Board. Courses and methods of instruction will be consistent with those provided in the regular school setting.

Home instruction will be given only on those days when school is in session. The Superintendent will approve each application before home instruction can commence.

Home instruction will be terminated when the student is capable of returning to school, based on recommendations of the student's parents, the family physician, and the homebound instructor.

ASBSD:       Section I: Instruction > IGBG: Homebound Instruction

## INSTRUCTION POLICIES – Series 600

### ALTERNATIVE SCHOOL PROGRAMS – 600.5 (Too specific?)

Alternative education programs will be provided where: (1) needs have been identified, (2) establishment of such programs is feasible, and (3) the proposed programs fall within the function normally associated with the public school system.

Gayville-Volin students will receive alternative education through ASPIRE High. ASPIRE High is administered by the Southeast Area Cooperative.

ASPIRE High, Beresford, SD, educates At-Risk students. At-Risk students are those who are at risk for dropping out of school. ASPIRE High gives them an opportunity to attend an alternative school.

The Gayville-Volin School District encourages students who have dropped out of the system to attend ASPIRE High. Students must have a referral completed by Gayville-Volin Administration and be approved by the Board of Education prior to attending ASPIRE High.

Parents are responsible for paying all tuition fees at the beginning of each semester at ASPIRE High. Those who do attend ASPIRE High on a full time basis will be reimbursed by the Gayville-Volin School District at the end of each successfully completed ASPIRE High semester. A successfully completed semester is one in which the students has passed at least four classes (two credit hours). Credits must be academic credits, not work credits.

The Gayville-Volin School District will not reimburse nor pay tuition for students who are attending ASPIRE High during the summer for the purpose of earning credit in courses that the student failed at Gayville-Volin High School. Students who attend ASPIRE High because of failure of classes at Gayville-Volin will not receive reimbursement. If a class is offered at Gayville-Volin, and the student does not want to take the course at GVHS because of inconvenient class time, personality conflicts, or other various personal reasons, the cost will not be reimbursed by the Gayville-Volin School District.

The Gayville-Volin School District will not provide transportation to ASPIRE High.

LEGAL REF:           SDCL 13-8-1  
                              13-8-39

## **INSTRUCTION POLICIES – Series 600**

### **EXTENDED INSTRUCTIONAL PROGRAMS – 600.6**

Credit may be awarded for promotion and/or graduation through the results of proficiency testing, correspondence courses, life experiences, work experiences, and other informal educational endeavors. In awarding credit for such programs and experiences, the following guidelines will be met:

- 1) The course accepted as responsive to the learner's needs.
- 2) It is administered by pre-approved and responsible persons or organizations, which meet the standards for accreditation described in state law.
- 3) The individual request has the approval of a teacher in the academic area of study along with the principal and Superintendent.

LEGAL REF: ARSD 24:03:06:14

## **INSTRUCTION POLICIES – Series 600**

### **ADVANCED COLLEGE PLACEMENT – 600.7**

Advanced placement courses may be offered by the district provided a sufficient number of students request a particular course and qualify for it, and that a staff member is qualified to teach it.

If a particular course is not offered by the district, a qualified high school student may enroll in a college-level course/advanced-placement course offered through Long Distance Learning.

## **INSTRUCTION POLICIES – Series 600**

### **STUDENT PERFORMANCES – 600.8**

The Board recognizes that worthy and appropriate educational values occur from student participation in civic and community affairs. Teachers will be encouraged to provide students for public performance when:

- 1) Such performances fit both the aims of the schools and the needs of the students.
- 2) Such performances are free from the kinds of appeals, and pressures that limit the best development of participants.
- 3) No student is excluded because of race, color, creed, religion, sex, handicap, national origin, or ancestry.

Students may perform where admission fees are charged only if the proceeds are used for charitable, educational, or civic purposes. Payment for performances may be accepted by the school but not by the individual student. Costs directly related to the supervision of the students, and liability protection for the participants will be responsibilities of the school district.

Approval for all public performances will be given by the Superintendent when the above criteria have been met.

## **INSTRUCTION POLICIES – Series 600**

### **STUDENT ACTIVITIES FUNDS MANAGEMENT – 600.9**

The annual school district audit will include an audit of student organization funds.

Any unspent balance for a graduating class that has not been designated for specific use will be transferred into the alumni fund.



## **INSTRUCTION POLICIES – Series 600**

### **INTERSCHOLASTIC ATHLETICS – 600.10**

It is the practice of the Board to maintain membership in the South Dakota High School Activities Association (SDHSAA). (Are we doing this)

Eligibility requirements for participating in athletic programs will be set by the school administration with the approval of the Board and will conform to the regulations of the SDHSAA. They will include the requirements that a student have the written permission of his parent or guardian to participate and will have been determined as physically fit for the sport by the school physician or his physician.

All students participating in interscholastic athletics may purchase insurance available through the school, or the parent or guardian must sign a waiver to the effect that such coverage is not necessary.

LEGAL REF: SDCL 13-36-4

## **INSTRUCTION POLICIES – Series 600**

### **CLASS SIZE – 600.11**

Classes should be of such size and organization as to ensure maximum learning efficiency. Class size should depend upon age and maturity as well as the type of learning activity involved.

New approaches to school organization, such as team teaching and flexible modular scheduling may change many conventional class-size concepts as well as concepts of a "class" as such. However, precluding unusual circumstances, conventional classes should not exceed 30 pupils at the elementary level. Secondary class sizes should be within the recommended limits of the North Central Association evaluative criteria.

## **INSTRUCTION POLICIES – Series 600**

### **TEXTBOOK SELECTION AND ADOPTION – 600.12**

Textbooks and programs will be adopted upon the recommendation of the Superintendent.

Responsibility for the review and selection of textbooks to be recommended will rest with committees as appointed by the administration. Membership on such committees shall include representation by teachers who will use the texts, administrators, and other staff members as found desirable. Students and parents may be asked to serve.

## **INSTRUCTION POLICIES – Series 600**

### **LIBRARY MATERIALS SELECTION AND ADOPTION – 600.13**

The librarian will be responsible for evaluation and recommendation of all library materials to be included in the school library. Final approval and authority for distribution of funds will be subject to the approval of the Superintendent and in keeping with the Board approved budget.

Gifts of library books will be accepted in keeping with the above policy. Complaints about library books will be handled in line with Board policy on complaints about instructional materials.

## **INSTRUCTION POLICIES – Series 600**

### **PROMOTION AND RETENTION OF STUDENTS – 600.14**

The administration and teaching staff must strive to create plans of instruction and instructional organization that will permit students to progress through school according to their needs and abilities.

Students will normally progress annually from grade to grade. However, exceptions to this general policy may be made when it becomes evident that a student should proceed more slowly.

Retention will not be used until other possibilities have been exhausted, including special help, remedial work, and summer school opportunity.

In all cases of retention, parents must be informed of such possibility well in advance (usually by the third reporting period) and a conference with them sought. In all instances, the advice and help of the guidance and other special school personnel will be used by teachers.

Although teachers may recommend retention, all retentions (as well as promotions) will be assigned by the school principals. Teachers, in recommending retentions and principals in assigning them, will give the reasons why they feel the student should repeat. The school system shall have final authority in the promotion or retention of a student in grades 1-12.

The principal will take particular care in assigning more than one retention during a child's elementary school life. The Superintendent must approve a second retention assigned any student.

ASBSD:       Section I: Instruction > IKE: Promotion and Retention of Students

## INSTRUCTION POLICIES – Series 600

### GRADUATION REQUIREMENTS – 600.15

AR 24:03:06:05:01 Requirements for granting a unit of credit. To qualify for the granting of a unit of credit, a course must meet at least 250 minutes a week for a total of not less than 146 contact hours during a school term. Only full, half, and quarter units of credit may be granted based upon proportionate time spent in class and successful accomplishment of local standards.

AR 24:03:06:05:02 Fine art credit for activities exception. One-half unit of credit for fine arts may be counted for each 146 contact hours of participation in vocal music, instrumental music, dramatics, oral interpretation, or any combination of these. No more than two units of credit earned in this manner may be counted toward graduation.

#### Effective for Students Graduating Through June 30, 2004 –

Twenty units of credit earned in grades 9 – 12 are required for high school graduation through June 30, 2004. Twelve of these units must include the following:

- four units of language arts, to include one and one-half units of writing, one unit of literature that includes one-half unit of American literature, and one-half unit of speech;
- three units of social studies, to include one unit of US history, one-half unit of US government, and one-half unit of geography.
- two units of mathematics;
- two units of laboratory science
- one-half unit of laboratory computer studies; and
- one-half unit of fine arts

#### Effective for Students graduating after July 1, 2004 (specific changes are shown in boldface):

**Twenty-two** units of credit earned in grades 9-12 are required for high school graduation after July 1, 2004. **Thirteen and one-half** units of these units must include the following:

- four units of language arts, to include one and one-half units of writing, **one and one-half units** of literature that includes one-half unit of American literature, and one-half unit of speech;
- three units of social studies, to include one unit of US history, one-half unit of US government, and one-half unit of geography;
- **five units** of mathematics and laboratory science, which must include a minimum of two units of each;
- one-half unit of laboratory computer studies; and
- **one unit** of fine arts

## **INSTRUCTION POLICIES – Series 600**

### **GRADUATION REQUIREMENTS – 600.16/P2**

#### Early Graduation

Graduation in less than four full academic years will not be allowed. Sufficient high school and advanced curriculum is available for those students who have achieved the required amount of credits for graduation.

## INSTRUCTION POLICIES – Series 600

### POLICIES FOR THE DISTANCE LEARNING CONSORTIUM OPERATIONS – 600.16

#### **TEACHERS**

Any teaching assignment which includes remote delivery will be made only with the consent of the teacher and employing district. If no qualified teacher is available to accept the assignment, the district will have the option of employing additional licensed personnel.

Written notice of all teacher assignments *on the SILDL* will be made by April 1 of each year.

Teachers who are assigned to teach on the SILDL will be required to participate in a training program that will consist of at least 15 clock hours of training at no cost to the teachers. They will be paid a stipend of \$500 for attending the session. *SILDL will not be responsible for reimbursement for any other expenses.* Tuition for college credit that the teacher may *elect* to receive by participating in the training will be the responsibility of the teacher.

*Current year teachers who do not wish to continue teaching on the LDL in the following year must notify his/her building principal on or before January 15 previous to the school year the class is or will be scheduled.*

Teachers will be responsible for course content, materials and supply selection, instruction, testing, evaluation and all other necessary instructional responsibilities at all participating sites taking the class. The principal of the home site will be responsible for supervising the teacher and approving all plans for the lessons.

The SILDL Coordinator will be available to observe and assist teachers who are teaching on the *system*. These observations will be solely for providing teachers with feedback about their teaching and will *not be made available to the teacher's* home school for employment purposes without the approval of the teacher.

Teachers will be evaluated and employed by their own school district.

SILDL teachers will be expected to maintain classroom order and discipline in the same manner that they would for any other classes. Discipline referrals are to be made to the principal of the school in which the student resides.

Teachers may gather personal data relevant to their teaching and the class on their students in remote sites. *Remote sites are urged to share relevant information about the students with the teacher.*

Testing procedures are up to the instructor. If a local site monitor is required for any testing, the instructor must notify the principals at least 48 hours before the test.



## INSTRUCTION POLICIES – Series 600

### POLICIES FOR THE DISTANCE LEARNING CONSORTIUM OPERATIONS – 600.16/P2

Materials may be faxed, **or emailed** between *teachers and students*. However, all finished classroom materials and tests must be transferred *in writing, by fax or scanned and emailed.*

All students will receive the following information on the first day of class:

- 1) Introduction of students and teachers
- 2) Rules for attendance, homework, incompletes and grading
- 3) Discipline *rules and* procedures
- 4) An explanation of the parent/student agreement
- 5) Studio equipment usage, responsibilities, operations and the startup procedures.

All system failures must be reported to the SILDL Coordinator as soon as possible. Participating sites must also be notified if the system is not working.

If technical downtime occurs, the teacher must call the principal's office at the remote site(s) to notify them of the problem. If the system is partially functional, and students *cannot see but can hear* the teacher, the class should continue. If the students cannot see or hear the teacher, the teacher should call the remote site and give the students the assignment.

Principals *will make the final decisions regarding the selection of* students who will take courses in the LDL. They should exercise care in selecting the students to ensure that the students are academically prepared to meet the stated course prerequisites and *that they* possess sufficient maturity and motivation to function well in a two-way *interactive television* class environment.

## PRINCIPALS

### COURSE SELECTION AND PLANNING

- 1) Courses to be offered via distance learning will be developed by the principals of the participating schools in cooperation with the SILDL Coordinator.
- 2) Decisions about which courses to offer will be based upon a survey of students and teachers in the affected schools and grades.
- 3) Course planning time table:

September	Identify possible courses and teachers
December	Develop list of courses Follow up teachers who are interested. Develop course descriptions
January	Student pre-registration Tabulate and distribute results
February	Decide which courses to offer based upon enrollment totals, teacher availability, number of sites and maximum students per period

## **INSTRUCTION POLICIES – Series 600**

### **POLICIES FOR THE DISTANCE LEARNING CONSORTIUM OPERATIONS – 600.16/P3**

March	Final student registration Develop final master schedule Determine teachers for the classes
April	Final student registration for local and SILDL classes
May	Teaching materials requisitions by originator school
June	Check on final availability of teachers
July	Final check on materials
August	Rosters delivered to originator from remote sites and instructional materials picked up Class schedule adjustments Pre-class start meeting of teachers, principals and Superintendents

**SUBSTITUTE TEACHERS**--The host site will be responsible for securing substitute teachers when they are needed. Teachers may video tape a lesson for use by the substitute, however, the video tape cannot be the substitute.

**CLASSROOM SUPERVISION**--Principals at remote sites will provide classroom supervision sufficient to ensure that order is maintained. Study halls will not be supervised via SILDL. Schools are encouraged to install a television set in the administrative office and to keep it on during all classes in the studio.

**STUDENT ATTENDANCE**--Principals at receiving sites should make every attempt to have their student(s) in the LDL classroom according to the host school's starting times and whenever the host site is in session.

### **REGISTRATION**

Registration will be handled by the principals and counselors in each of the participating districts.

Registration will be submitted to and compiled by the coordinator before May 1 each year. Final totals will be reviewed by the principals.

There will be no drops or adding after the 10<sup>th</sup> day of class in any semester unless a student is added to replace a dropped student or a student moves into the school. The originating school shall make the final decision as to whether or not to accept a new student.

## **INSTRUCTION POLICIES – Series 600**

POLICIES FOR THE DISTANCE LEARNING CONSORTIUM OPERATIONS – 600.16/P4

### **OPERATIONAL POLICIES**

**CLASS SIZE**—Maximum recommended enrollment in the host site studio is 12 students unless the principal and coordinator agree to a larger number.

**STUDENT CONTRACT**—All students who take courses on the SILDL network will be required to sign a course contract. This course contract will be countersigned by one of the students' parents or guardians.

**GRADING**—Grading policies and standards for courses and deficiency notices shall be the same as the policies in effect for students in the originating school. Teachers will be responsible for communicating these to students in the remote sites.

**COURSE EVALUATION**—Students may be surveyed regarding the course value, technical quality issues and future class identification.

**MAKEUP WORK**—

- When a school does not hold classes for any reason, students will be responsible for any work missed. Notification of these changes is the responsibility of the originating school principal and teacher.
- Students who know they will be absent from class may request that the class be videotaped for them. Videotaping can be done only with the advance notice and approval of the teacher and only for the benefit of the student.

**BROADCASTING FROM ANOTHER SITE**—Any planned change in origination sites must have the approval of both principals at least 48 hours ahead of the change

**FIELD TRIPS, ETC.**—Field trips, social activities, get togethers, etc. must have the approval of all principals involved at least 10 days prior to the proposed activity. Any travel expenses associated with the trips will be the responsibility of the students' home district.

**SYSTEM PRIORITIES**—The SILDL system will be available for K-12 member school use from 7:30 a.m. until 5:00 p.m. of every Monday through Friday on which school is scheduled to be held. The system can be used within those hours only with the approval of the principal and the SILDL Coordinator. Use outside of those hours will require approval by the principal, the Superintendent or designee and the SILDL Coordinator.

**STUDENT SCHEDULING PRIORITIES**—Juniors and seniors will be given priority for scheduling classes on the SILDL.

## **INSTRUCTION POLICIES – Series 600**

### **POLICIES FOR THE DISTANCE LEARNING CONSORTIUM OPERATIONS – 600.16/P5**

**FOUR SCHOOL MAXIMUM**—There will be a maximum of four schools connected to the SILDL system for any given class offered for high school credit only. The number of schools may be increased for post-secondary classes or for dual credit classes.

**DISASTER DRILLS**—Students will comply with all fire and disaster drills that might be held during the class. If a drill will occur at the host site during class, the principal should notify the remote sites of the planned drill so that supervision of students can be provided during the drill.

### **GENERAL PROCEDURES**

**SUPPLY REQUESTS**—Teachers will be required to submit their requests for materials and supplies to their principal by May 15 and the principal shall be responsible for sending those requests to other schools affected.

**TEXTBOOKS**—All schools on the SILDL will be responsible for providing their own textbooks for courses offered for high school credit. It is permissible to loan textbooks between schools.

**PARENT CONFERENCES**—Parent/student/teacher conferences may be arranged and the system may be used for the conference.

**VISITORS**—All visits to the sites must be approved in advance. The LDL Coordinator will coordinate all visitations by outside individuals and/or groups in conjunction with the building principals. Visits will be limited to one day per site per month.

**SCHEDULE CHANGES**—The announcement of changes in school schedules caused by emergencies such as weather shall be announced on WNAX radio in Yankton, SD. Each school is responsible for arranging for the announcement.

**VIDEO TAPES**—Video tapes made for remote delivery purposes shall become the property of the school district and their sale or re-use by other teachers is prohibited without the permission of the teacher and the district.

**CLASS CALENDAR**—Instructional days for a class on the system will follow the calendar of the origination site for the class.

### **COMMUNITY EDUCATION**

Persons or organizations that are permitted to use the studio are responsible for the care of the studio and equipment. If damage or alterations to the studio occur, all costs for repair, including time and materials will be invoiced to the responsible party. All users will be required to successfully complete training or employ a school employee who is trained in the operation of the equipment.

## **INSTRUCTION POLICIES – Series 600**

### **POLICIES FOR THE DISTANCE LEARNING CONSORTIUM OPERATIONS – 600.16/P6**

Each site will be responsible for providing assistance to outside users with the setup and operation of the studio for all approved uses.

#### **STUDENT FEES**

Schools who receive a distance learning class will pay \$100 per student per semester to the SILDL. Of that payment, \$25 will be used to pay for training costs for teachers. The remainder of money will be paid to the sending school.

A COPY OF THE STUDENT CONTRACT WILL BE FOUND ON THE FOLLOWING PAGE:

# INSTRUCTION POLICIES – Series 600

## POLICIES FOR THE DISTANCE LEARNING CONSORTIUM OPERATIONS – 600.16/P7

### STUDENT POLICY AND CONTRACT

Two-way Interactive Television is a means for districts to provide courses that normally would not be offered to students because of low enrollment or lack of qualified personnel. Because of the uniqueness of two-way Interactive Television, certain standards are expected of students enrolling in these courses. This policy and contract are intended to make those standards clear to both the students and parents and to secure signatures of agreement.

AS A STUDENT TAKING A TWO-WAY INTERACTIVE COURSE, I AM AWARE THAT:

- Certain standards are expected of me, as a student, and insubordination of any kind will not be tolerated. Insubordination has been defined as anything that interferes with teaching or learning in the classroom.
- Disruptive behavior will not be tolerated. This includes: cheating, using inappropriate language or gestures, creating distracting noise, leaving or entering class without teacher approval and similar acts.
- Because of the technology, anything I do in the classroom can be videotaped without my knowledge.
- Classroom procedures must be followed:
  - Students must sit within camera view at all times.
  - Students must not mishandle the equipment in the classroom.
  - Students must follow all other rules as specified by the teacher.

**The procedure that will be followed in the event that students do not follow the above listed rules:**

- **FIRST OFFENSE:** The student will be given a verbal warning and told that his/her behavior is inappropriate and his/her parents will be notified by letter of the warning. The classroom teacher will send the letter to the parents through the student’s principal. The principal will also receive a copy of the letter.
- **SECOND OFFENSE:** The student will be removed from the course permanently and will receive no credit for the class.
- **SEVERE MISCONDUCT:** The student will be removed from the course permanently and will receive no credit for the class.

***We have read and understand the above policy and agree to abide by the rules stated.***

\_\_\_\_\_  
*Student’s Signature*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Parent/Guardian Signature*

\_\_\_\_\_  
*Date*

The original copy of this contract will be kept by the teacher. Photocopies, with signatures, will be given to the student and the student’s principal.

LEGAL REF: ARSD: 24:43:12  
SDCL: 13:33:21 through 13:33:22

## **INSTRUCTION POLICIES – Series 600**

### **DISTRICT OWNED COMPUTERS – 600.17**

The School District will check out District owned equipment, such as laptop computers, to staff and students. Equipment will be used to fulfill requirements of school programs. To ensure laptops are used to their fullest benefit and in an appropriate capacity, the following guidelines will be used:

- 1) Laptops will be checked out the first week of school and returned the last day the student is required to be in school. Assigned laptop and charger numbers will be recorded and kept in an electronic file for verification purposes.
- 2) Students and parents will be required to fill out a form acknowledging responsibility for the care and use of District property as well as guidelines for appropriate laptop use.
- 3) Students abusing the appropriate use guidelines may forfeit the use of their laptop or have their laptop privileges restricted.
- 4) Students and parents will be given the option to purchase insurance to cover costs to the laptop in the event that it is damaged.
- 5) If insurance is not purchased and the laptop is damaged in such a way that it cannot be used, the student will be responsible for the cost of replacing the laptop.
- 6) A Laptop Use Agreement with student and parent/guardian signatures must be filed prior to laptop check out.

### **LAPTOP USEAGE AGREEMENT**

Gayville-Volin School District supplies a laptop computer to all students in grades 8-12. This is the third year of the program and we are continually trying to improve on the program and utilize the technology to its fullest potential. During the 2012-2013 school years, the Gayville-Volin School Board has determined that they will offer a protection plan as an option. That option is outlined below.

#### **Protection Plan Policy**

The Gayville-Volin School District is offering each student the option of participating in the annual protection plan to cover damages to a laptop computer issued to students as part of their education. Damages incurred to a computer would be no different than damages to a textbook; repairs and replacement would be the student's responsibility.

A student may choose to participate in the school offered plan or not.

# INSTRUCTION POLICIES – Series 600

## DISTRICT OWNED COMPUTERS – 600.17/P2

Cost for repairs determined by the Technology Coordinator to be normal wear and tear will be covered with or without the insurance. Also, normal computer malfunctions will be covered by the school at no cost to the student.

Cost for repairs determined by the Technology Coordinator to be caused by neglect would be the responsibility of the student. We offer a protection plan that will cover these types of damages.

- 1) The annual cost of the school protection plan is \$50 (non-refundable).
- 2) The first repair will be covered by the protection plan at no cost to the student.
- 3) The second repair will include a co-pay of \$50 (not to exceed the total cost of the repair).
- 4) For each subsequent repair co-pay will increase by \$25 (not to exceed the total cost of the repair).

If the school offered protection plan is not chosen by the student, the total cost of all repairs that are determined by the Technology Coordinator to be caused by neglect will be the responsibility of the student.

The plan must be paid in full and in place prior to any coverage. This plan is an annual plan that covers one school year and is not prorated.

\_\_\_\_\_ I wish to purchase the insurance coverage.

\_\_\_\_\_ I decline the insurance coverage (I understand that all repairs are the responsibility of the student).

\_\_\_\_\_ Student  
Parent

----- For School Use -----

**Laptop Issued:** \_\_\_\_\_ **First Occurrence:** \_\_\_\_\_

**Second Occurrence:** \_\_\_\_\_ **Third Occurrence:** \_\_\_\_\_



# FINANCIAL POLICIES

## Series 700

### 700 FINANCIAL POLICIES

- 700.1 Annual Budget
- 700.2 Fiscal Year
- 700.3 Budget Deadlines and Schedules
- 700.4 Budget Adoption Procedures
- 700.5 Budget Implementation
- 700.6 Budget Transfer Authority
- 700.7 Taxing and Borrowing Authority/Limitation
- 700.8 Funding Proposals and Applications
- 700.9 Revenues from Investments
- 700.10 Revenues from Tax Sources
- 700.11 Revenues from School Owned Real Estate
- 700.12 Depository Funds
- 700.13 Authorized Signatures
- 700.14 Bonded Employees and Officers
- 700.15 Duties of the Business Manager
- 700.16 Fiscal Accounting and Reporting
- 700.17 Types of Funds
- 700.18 Financial Reports and Statements
- 700.19 Inventories
- 700.20 Audits
- 700.21 Purchasing
- 700.22 Petty Cash Accounts
- 700.23 Incidental Accounts
- 700.24 Bidding Requirements
- 700.25 Purchasing Procedures
- 700.26 Payment Procedures
- 700.27 Pay Day Schedules
- 700.28 Salary Deductions
- 700.29 Expense Reimbursements
- 700.30 Cash in School Buildings
- 700.31 School Properties Disposal Procedure

## **FINANCIAL POLICIES – Series 700**

### **ANNUAL BUDGET – 700.1**

Under law, the district is required to adopt an annual budget. This annual school budget is the financial outline of the district's educational plan; it is also the legal basis for the establishment of tax levies to support public education within the district.

Public school budgeting is also regulated and controlled by legislation, state regulations and local Board requirements. The annual operating budget for the schools will be prepared and presented as defined by state law.

The school district budget will be prepared by the Superintendent, with the assistance of the Business Manager, and presented to the Board for review. The Superintendent will establish a time line for the preparation of the budget.

LEGAL REF: SDCL 13-16-3

## **FINANCIAL POLICIES – Series 700**

### **FISCAL YEAR – 700.2**

The fiscal year for all school funds will be July 1 through June 30. Financial reports for all funds will be presented for Board approval at the July meeting.

LEGAL REF:           SDCL 13-26-1

## FINANCIAL POLICIES – Series 700

### BUDGET DEADLINES AND SCHEDULES – 700.3

The following will serve as a guideline in the scheduling of the budget:

January	Budget preparation begins.
March	Annual audit is requested. Review of proposed budget
May	The proposed budget for the next fiscal year will be considered at the regular Board meeting.
July 15	Deadline for publishing proposed budget and notice of hearing in the official newspaper.
August 1	Deadline for budget hearing.
September 1	Deadline for Board approval of budget for the anticipated obligations of each fund for the fiscal year. By resolution the School Board will adopt a levy in dollars sufficient to meet the school budget for each fund.
October 1	Deadline for submission of amended budget.

In accordance with law, any changes in the proposed budget incorporated into the final budget, will be published in the September Board meeting minutes.

Established by law and Board policy

LEGAL REF: SDCL 13-11-2  
13-11-2.1  
13-11-3  
13-11-3.1

## **FINANCIAL POLICIES – Series 700**

### **BUDGET ADOPTION PROCEDURES – 700.4**

The Board will adopt the budget following the public hearing for the proposed budget. The proposed budget will be published in the official newspaper at the time notice of the budget hearing is given.

If, as a result of the public hearing, it should be determined that certain changes in the budget are necessary, these changes will be made before the budget is adopted. Adoption of the budget by the Board will be by roll call vote.

Following the adoption of the budget by the Board, the tax levy in dollars will be reported to the county auditor on the appropriate forms.

LEGAL REF:           SDCL 13-11-2  
                              13-11-2.1  
                              13-11-3  
                              13-11-3.2

## **FINANCIAL POLICIES – Series 700**

### **BUDGET IMPLEMENTATION – 700.5**

The Superintendent is authorized to spend money called for in the budget classification without further approval of the Board. School Board approval must be secured to expend money in excess of major budget classifications.

## **FINANCIAL POLICIES – Series 700**

### **BUDGET TRANSFER AUTHORITY - 700.6**

Transfer of surplus funds among the major classifications of the budget will be subject to the Board approval. In accordance with the law, funds may not be transferred from the capital outlay fund or the special education fund. Contingency funds may be transferred to any budget category, except capital outlay, with Board approval.

LEGAL REF:           SDCL 13-11-2.1  
                              13-16-14  
                              13-16-26

# FINANCIAL POLICIES – Series 700

## TAXING AND BORROWING AUTHORITY/LIMITATIONS – 700.7

### Taxing

The district’s taxing authority is established by state law. In accordance with the law, the tax levy on agricultural property and non-agricultural acreages may not exceed the state levy rate on taxable valuation. The tax levy on owner occupied property may not exceed the state levy rate on taxable valuation. The tax levy on commercial property may not exceed the state levy rate on taxable valuation.

For capital outlay funds, the tax levy cannot exceed 3 dollars per thousand on the taxable valuation of the district, and for special education funds, the tax levy cannot exceed 1.40 dollars per thousand dollars on taxable valuation.

### Borrowing

By law, the Board is permitted to borrow money in anticipation of the collection of taxes for the purpose of securing funds for school operations for the payment of previous loans. The amount of money borrowed cannot exceed the sum of 95 percent of the amount of uncollected receivables (including state or federal money, not yet received, but) owed to the district.

Established by law

LEGAL REF: SD Constitution Article 13-5  
SDCL 10-12-29  
10-12-42  
10-12-43  
10-13-36  
13-10-6  
13-15-12  
13-15-13  
13-16-10  
13-16-11  
13-16-12  
13-16-13  
13-16-14  
13-19  
13-37-16



## **FINANCIAL POLICIES – Series 700**

### **FUNDING PROPOSALS AND APPLICATIONS – 700.8**

The Superintendent will apprise the Board of district eligibility for federal, state and foundation grants. The preparation of these proposals will be supervised by the Superintendent and will be coordinated with the budgetary practices and capital improvement program of the district.

LEGAL REF:           SDCL 13-39-13

## **FINANCIAL POLICIES – Series 700**

### **REVENUES FROM INVESTMENTS – 700.9**

School district funds not in use will be invested in savings accounts, time deposits or in bond or securities issued and guaranteed by the United States government. Interest earned on such investment will be credited to the respective fund or to the general fund.

In accordance with law, money in any bond redemption fund, may be invested in any of the above-mentioned securities, provide the bonds become due and payable before the payment date of the bonds.

LEGAL REF:           SDCL 4-5-5  
                              4-5-8  
                              4-5-9  
                              4-5-11  
                              13-16-18

## **FINANCIAL POLICIES – Series 700**

### **REVENUES FROM TAX SOURCES – 700.10**

In an attempt to provide the best education possible within the financial resources available, the Board will:

- 1) Request adequate local funds for the operation of the school district. The amount of the financial support requested will yield sufficient revenue for the total expenses of the school district.
- 2) Accept all available state funds to which the district is entitled by law or through state regulations.
- 3) Accept all federal funds that are available providing there is a specific need for them and matching funds that are required are available.

LEGAL REF:           SDCL 13-11-7  
                          13-13  
                          13-14

## **FINANCIAL POLICIES – Series 700**

### **REVENUES FROM SCHOOL-OWNED REAL ESTATE – 700.11**

In accordance with state law, the Board may approve the leasing of any of its real estate for the exploration of oil and gas and its development. Property leased will not interfere with the purposes of the school district. Revenues received from the leasing of such property will be directed into the school district general fund.

Established by law

LEGAL REF:           SDCL  5-2-12  
                              5-2-13  
                              13-24-10  
                              13-24-5  
                              13-24-6  
                              13-24-7  
                              13-24-8

## **FINANCIAL POLICIES – Series 700**

### **DEPOSITORY OF FUNDS – 700.12**

As provided by law, the Board will designate a bank depository or depositories for the funds of the school district. The business manager will deposit the money belonging to the school district in the designated bank depository or depositories.

The business manager as to the designated depositories will notify the county auditor and county treasurer. The county treasurer will be responsible for transferring all money received during the prior month on behalf of the school district to the depository by the twentieth of the month.

LEGAL REF:       SDCL 4-6A  
                      13-8-10  
                      13-11-7  
                      13-16-15  
                      13-16-15.1  
                      13-16-18

## **FINANCIAL POLICIES – Series 700**

### **AUTHORIZED SIGNATURES – 700.13**

The business manager will draw and sign all checks or warrants for the payment of verified vouchers approved by the Board. The president or vice-president of the Board will countersign every check or warrant. The check or warrant will specify the person, firm or corporation to whom paid.

No check or warrant will be drawn by the business manager except for the indebtedness incurred prior to its issue and upon the presentation of an itemized invoice, duly verified. The invoice and verification will be retained by the business manager and placed on file in his/her office.

LEGAL REF:           SDCL 13-8-26  
                              13-18-2  
                              13-18-8

## **FINANCIAL POLICIES – Series 700**

### **BONDED EMPLOYEES AND OFFICERS – 700.14**

School district business managers must be bonded for an amount determined by the School Board. The bond of the business manager will not be less than the amount that may come into his/her possession at any one time during the school fiscal year.

School personnel authorized to be in charge of trust and agency funds must also be bonded as provided by law. When several school district personnel needed to be bonded, the Board will approve a blanket bond.

LEGAL REF: SDCL 3-19-2  
3-19-3  
13-1-5  
13-1-8  
13-8-18  
13-8-19  
13-8-20  
13-8-21  
13-16-19  
13-16-20  
13-19-1

## **FINANCIAL POLICIES – Series 700**

### **DUTIES OF THE BUSINESS MANAGER – 700.15**

- A. Financial Planning
  - 1. Help provide information for budget each year, planned expenses as well as actual expenses and anticipated receipts
  - 2. Prepare each month the financial standing on the budget for the Board meeting
  
- B. Accounting
  - 1. District Lunch Program and Activity Bookkeeping
  - 2. Voucher and payroll preparation for all accounts
  - 3. Deposits money for all accounts
  
- C. Debt service and capital fund management
  - 1. Long and short-term financing
  - 2. Maturities and debt payments
  - 3. Bond and note register
  - 4. Time Certificate Investments upon Superintendent recommendations
  
- D. Auditing
  - 1. Preaudit—or internal auditing—procedures
  - 2. Postaudit procedures
  
- E. Supply Management
  - 1. Stock requisition
  - 2. Bids when necessary
  - 3. Purchase of supplies and equipment
  - 4. Storage and delivery to person placing order
  - 5. Inventory control on all supplies
  
- F. Operation of plant
  - 1. Ordering of fuel
  - 2. Letting of bids for fuel



## **FINANCIAL POLICIES – Series 700**

### **DUTIES OF THE BUSINESS MANAGER – 700.15/P2**

#### **G. Personnel Management**

1. Preparation of contracts for all personnel
2. Have published all salaries in July
3. Individual earning records
4. Withhold tax and group insurance and annuities
5. Substitute and part-time employees and their time and wages
6. Provide information on pay and retirement and personnel records to staff when required

#### **H. Transportation of pupils**

1. Preparation of bus contracts
2. Wages for employees
3. Monthly federal report to state department for reimbursement
4. Approval and keeping of records of Free Lunch Program Policy

#### **I. Food Service Operations**

1. Accounting, reporting and help with cost analysis
2. Wages for employees
3. Monthly federal report to state department for reimbursement
4. Approval and keeping of records of Free Lunch Program Policy
5. Helping prepare, type and submit Free Lunch Program Policy and getting letters to all parents about free lunches

#### **J. Insurance**

1. Payment of insurance premiums for property and group insurance
2. Bonding on necessary employees
3. Claims and reporting of student accident insurance

## FINANCIAL POLICIES – Series 700

### DUTIES OF THE BUSINESS MANAGER – 700.15/P3

#### K. Reporting

1. Local financial and statistical reports
2. State financial and statistical reports
  - a. Accreditation report—both preliminary and final
  - b. Annual report
3. Federal financial and statistical reports
  - a. Chapter I—payment of all bills and salaries and monthly report requesting monies
  - b. Chapter II—payment of bills and request for reimbursement
4. Miscellaneous reports
5. Required legal advertising

#### L. Responsibilities for elections and bond referenda

1. Advertising official notices for elections
2. Hiring of Judges and Clerks (upon Board's recommendations)
3. Supplying of election supplies

#### M. Miscellaneous duties

1. Answering the telephone as needed
2. Asking for tax monies on Board recommendations
3. Providing additional duties as needed

#### N. Daycare

## **FINANCIAL POLICIES – Series 700**

### **FISCAL ACCOUNTING AND REPORTING – 700.16**

The Uniform Financial Accounting System for South Dakota School Districts will be used to record receipts and disbursements of the district.

The business manager will report all financial information to the state as required. The Board will receive monthly financial reports from the business manager that include a statement of operating receipts and expenditures, balance on hand in funds, a budget position report, and any other financial information.

LEGAL REF:           SDCL 4-11-6  
                              13-16-19

## **FINANCIAL POLICIES – Series 700**

### TYPES OF FUNDS – 700.17

All school district funds will be dispensed among the following funds: general; capital outlay; special education; public service enterprise; trust and agency; or bond redemption. **Daycare?**

LEGAL REF:           SDCL 13-6-1  
                              13-6-2  
                              13-6-3  
                              13-6-4

## **FINANCIAL POLICIES – Series 700**

### **FINANCIAL REPORTS AND STATEMENTS – 700.18**

At the close of the fiscal year, the business manager will report to the county auditor the total indebtedness of the district, the purpose for which issued, the liabilities, assets, resources and expenditures, and the total receipts and disbursements.

LEGAL REF:           SDCL 6-9-1  
                              13-8-47  
                              13-16-21

## **FINANCIAL POLICIES – Series 700**

### **INVENTORIES – 700.19**

The school district will inventory personal property and file it with the business manager by July 10. Personal property with an original value greater than \$300 shall be included in the inventory as required by SDCL 5-24-1.1

Equipment purchases per invoice of less than \$300 may be acquired from either the general or capital outlay fund.

LEGAL REF:           SDCL 5-24-1  
                              5-24-3  
                              13-16-6  
                              ARSD 10:02:01:01

## **FINANCIAL POLICIES – Series 700**

### AUDITS – 700.209

The school district shall have financial and compliance audits performed at least every two years. The audit may be done by the Department of Legislative Audit or by a private firm authorized by law to audit financial records of school districts.

LEGAL REF:           SDCL 4-11-5  
                              4-11-7.1  
                              4-11-7.2  
                              4-11-9  
                              4-11-12  
                              4-11-13  
                              4-11-14  
                              4-11-15  
                              4-11-16  
                              4-11-17  
                              4-11-18  
                              4-11-19  
                              13-16-28

## FINANCIAL POLICIES – Series 700

### PURCHASING – 700.21

The Board declares its intention to purchase competitively without prejudice and to seek maximum educational value for every dollar expended. The Board will abide all laws and regulations relating to purchases. The Board must approve all contracts in order for them to be binding.

The Superintendent will serve as the purchasing agent. He/she will administer the purchasing program with the assistance of the business manager, within the legal requirements and the adopted school budget.

School purchases will be made **only on official purchase orders approved for issuance by the appropriate unit head and signed by the Superintendent, with such exceptions as may be made by the latter for emergency purchases and those made with petty cash or personal funds to be reimbursed as soon as possible by business manager.**

LEGAL REF:           SDCL 13-16-24  
                              13-20-1  
                              13-20-3



## **FINANCIAL POLICIES – Series 700**

### **INCIDENTAL ACCOUNTS – 700.22**

In accordance with law, the Board may establish an incidental account in an amount determined by the Board by setting aside on an imprest basis money from the general fund. The fund may be used for advanced payment or for claims requiring immediate payment, not to exceed the amount established by the Board.

Expenditures against this account must be itemized, documented with receipts, and will be charged to the applicable fund. The Board authorizes the business manager as accountable for the incidental account.

All expenditures from this account shall be listed with other bills in the regular school Board proceedings.

LEGAL REF:           SDCL 13-18-17

## **FINANCIAL POLICIES – Series 700**

### **BIDDING REQUIREMENTS – 700.23**

In accordance with state bidding laws, bidding is required when a purchase or contract equal to or exceeding \$25,000 is anticipated, or if the contract is for the construction of a public improvement in excess of \$50,000 except in the following cases:

- 1) For the purchase of utility services such as electric power, lights, water or gas.
- 2) Purchases of materials, supplies or equipment from the United States or its agencies including Federal surplus property.
- 3) Equipment repair contracts.
- 4) Purchasing textbooks and text-related workbooks.
- 5) When purchasing facilities, equipment and supplies from another public corporation or at public auctions if in compliance with South Dakota Law.
- 6) Purchases from the lowest bidder of an item contained on the state price list or from any vendor for the exact same item if less than the state price list.
- 7) Purchases from the lowest responsible bidder of an item competitively bid by any local government within the previous twelve months unless trade in allowances are involved.
- 8) Purchases of raw materials used in construction or manufacture of products for resale, and contracts for asbestos removal in emergency response actions, real estate services and auction services.
- 9) For services provided by individuals or firms for consultants, audits, legal services, architectural and engineering services, insurance and transportation of students.
- 10) Purchases of computer programs and software, communication technologies, computers, peripheral equipment and related connectivity.
- 11) Change orders to an existing contract for construction, reconstruction or remodeling that are in compliance with South Dakota Law.
- 12) Purchases of real property having a particular use or benefit.
- 13) Guaranteed energy savings contracts.
- 14) Purchases of perishable or unprepared foodstuffs.
- 15) Upon the purchase of copyrighted materials that are copyrighted by only one company.
- 16) If there is only one source for the required service or item of tangible personal property other than construction services or equipment.

## **FINANCIAL POLICIES – Series 700**

### **BIDDING REQUIREMENTS – 700.23/P2**

- 17) An emergency due to a casualty loss, natural disaster or sudden deterioration resulting in destruction to a vital piece of equipment which would require closing of school, or which will endanger the usefulness of remaining school property.

Bids for materials, supplies or equipment will be advertised and printed in the official newspaper of the district at least twice, the first publication at least ten days prior to the opening of bids. The advertisement will state the time and place the bids will be opened and passed upon by the Board. In the notice the Board will reserve the right to reject any and all bids.

Bids are required on all construction for public improvements (including repairs and alterations) of \$15,000 or more. When the contract is for the construction of a public improvement the advertisement must state where the plans and specifications may be examined. In specifying or purchasing goods, merchandise, supplies or equipment, the Board will not specify any trade-mark or copyrighted brand on any product or any patented product, apparatus, device or equipment where proper competition will be prevented unless bidders also are asked for bids or offers upon other articles of like nature.

When the contract is for the construction of a public improvement the advertisement must state where the plans and specifications may be examined. In specifying or purchasing goods, merchandise, supplies or equipment, the Board will not specify any trade-mark or copyrighted brand on any product or any patented product, apparatus, device or equipment where proper competition will be prevented unless bidders also are asked for bids or offers upon other articles of like nature, utility and merit, and naming the make or brand to indicate the type or quality specified.

The sealed bids will be publicly opened and read at the time and place stated in the advertisement. Any bid may be withdrawn or modified before the time of opening as specified in the advertisement. Unless all bids presented are rejected, the lowest responsible bid, in all cases must be accepted.

If after advertising for bids no bids are received the Board may negotiate a contract for the purchase of the materials, supplies or equipment at the most advantageous price. However, such materials, supplies or equipment will meet the specifications of the original advertisement for bids.

The Board will contact and attempt to obtain competitive quotations from at least three suppliers. A record of the names of the suppliers, the quotations received and the procurement procedures used in purchasing will be documented, noted in the minutes, and retained on file by the Board. The Board may reject all bids and negotiate a contract if after advertising no firm competitive bids are received.

## **FINANCIAL POLICIES – Series 700**

### **BIDDING REQUIREMENTS – 700.23/P3**

When supplies or equipment, or construction or remodeling services are to be purchased the Board may require a reasonable deposit or bid bond by the bidders. The deposit or bonds must be returned to unsuccessful bidders immediately. No more than 30 days will elapse between opening of bids and acceptance of the lowest responsible bidder or rejection of all bids.

When supplies and equipment are received they will be opened and inspected by the purchasing agent, and compared with the written order to see that they were received as ordered and in acceptable condition for payment. If someone other than the purchasing agent, receives such supplies or equipment for the school district, this person will be required to sign the voucher for payment to the effect that they were received as ordered. The purchasing agent of the school district will sign all vouchers before the Board authorizes their payment.

LEGAL REF: AG Opinion 77-65, 77-76, 77-87, 85-24, 86-01 and 86-02  
SDCL 1-33B-9  
5-18A  
5-18B  
5-18C  
5-18D  
13-16-6.1  
13-20

CROSS REF: FEFB: Contractor's Affidavits and Guarantees

## **FINANCIAL POLICIES – Series 700**

### **BIDDING REQUIREMENTS – 700.23/P4**

The sealed bids will be publicly opened and read at the time and place stated in the advertisement. Any bid may be withdrawn or modified before the time of opening as specified in the advertisement. Unless all bids presented are rejected, the lowest responsible bid, in all cases must be accepted.

If after advertising for bids, no bids are received the Board may negotiate a contract for the purchase of the materials, supplies or equipment at the most advantageous price. However, such materials, supplies or equipment will meet the specifications of the original advertisement for bids.

The Board will contact and attempt to obtain competitive quotations from at least three suppliers. A record of the names of the suppliers, the quotations received and the procurement procedures used in purchasing will be documented, noted in the minutes, and retained on file by the Board. The Board may reject all bids and negotiate a contract if after advertising no firm competitive bids are received.

When supplies or equipment, or construction or remodeling services are to be purchased the Board may require a reasonable deposit or bid bond by the bidders and reserve the right to respect any and all bids. The deposit or bonds must be returned to unsuccessful bidders immediately. No more than 30 days will elapse between opening of bids and acceptance of the lowest responsible bidder or rejection of all bids.

When supplies and equipment are received they will be opened and inspected by the purchasing agent, and compared with the written order to see that they were received as ordered and in acceptable condition for payment. If someone other than the purchasing agent, receives such supplies or equipment for the school district, this person will be required to sign the voucher for payment to the effect that they were received as ordered. The purchasing agent of the school district will sign all vouchers before the Board authorizes their payment.

LEGAL REF:           SDCL 13-16-6.1  
                          A.G. Opinion 77-65, 77-76, 77-87, 85-24, 86-01 and 86-2

# FINANCIAL POLICIES – Series 700

## BIDDING REQUIREMENTS – 700.24

### Bid Procedure Checklist

Bids are required on all purchases of \$50,000 or more for the construction of a public improvement (includes repair and alterations) and \$25,000 or more for all other purchases (SDCL 5-18-3).

1. Recommended item of \_\_\_\_\_
2. Item specifications (SDCL 5-19-2) \_\_\_\_\_  
\_\_\_\_\_
3. Desired installation date \_\_\_\_\_
4. Fund from which to be paid (SDCL 13-16-6) \_\_\_\_\_
5. Approximate cost \_\_\_\_\_
6. Recommended public hearing date (SDCL 13-16-9.3) \_\_\_\_\_  
Motion # \_\_\_\_\_ for publication of public hearing. Motion made  
by \_\_\_\_\_, seconded by \_\_\_\_\_.  
Board meeting date \_\_\_\_\_
7. First bid request publication of bid request(s). Motion made by  
\_\_\_\_\_, seconded by \_\_\_\_\_.  
Board meeting date \_\_\_\_\_
8. Bid bond (SDCL 5-18-6, 5-18-6.1 and 5-18-7) \_\_\_\_\_
9. Performance bond (SDCL 5-21-1, 5-21-1.1 and 13-20-7) \_\_\_\_\_
10. Date bid due to business manager \_\_\_\_\_
11. Bid opening date \_\_\_\_\_
12. Bid acceptance \_\_\_\_\_  
Motion # \_\_\_\_\_ to accept bid of \_\_\_\_\_  
Motion made by \_\_\_\_\_ seconded by \_\_\_\_\_  
Board meeting date \_\_\_\_\_

## **FINANCIAL POLICIES – Series 700**

### **PURCHASING PROCEDURES – 700.25**

All materials to be ordered by the school district staff, whether for local or out-of-town orders, must be requisitioned through the Superintendent's office for processing by the business office.

The administration will examine all requisitions submitted by the teachers, custodians and other employees for supplies, equipment and services.

If any person orders materials other than through the Superintendent's office he/she will be responsible for their payment.

## **FINANCIAL POLICIES – Series 700**

### **PAYMENT PROCEDURES – 700.26**

Payment will be authorized against invoices properly supported by approved purchase orders, against properly submitted vouchers, or in accordance with salaries and salary schedules set by the Board.

List of accounts payable, including payroll lists, will be certified by the Superintendent and approved by the Board. The Board president will sign each registered warrant and the business manager will sign the endorsement statement. Actual invoices, statements and vouchers will be available for Board inspection.

The business manager will assume responsibility for assuring that budget allocations are observed and that total expenditures do not exceed the amount allocated in the budget for all items.

LEGAL REF:           SDCL 13-18-9 through 13-18-13



## **FINANCIAL POLICIES – Series 700**

### **SALARY DEDUCTIONS – 700.27**

Deductions will be made from the paychecks of all employees for federal income tax, for retirement in keeping with state requirements and for OASI (Social Security).

In addition, the Board authorizes the following types of deductions from employee salaries, provided the employee had filed the proper permission or payroll withholding.

- 1) Employee contributions to the health and life insurance programs and any other similar programs that are or may be approved by the Board.
- 2) Deductions for tax-sheltered annuity programs.

LEGAL REF:           SDCL 3-10-1 ET seq.  
                          3-11-1 ET seq.  
                          3-12

## FINANCIAL POLICIES – Series 700

### EXPENSE REIMBURSEMENTS – 700.28

School district employees and members of the Board will be reimbursed for certain out-of-pocket costs incurred while traveling out of the district for school-related activities.

Only expenses essential to the purpose of the trip will be reimbursed. Expenditures for telephone calls home, entertainment and similar expenses are personal in nature and are not reimbursable.

Receipts will be required for all expenses over \$10.00, other than meals.

The maximum in-state travel allowance for meals and lodging is per diem at the state rates:

	Leave Before	Return After
Breakfast	5:31 a.m.	7:59 a.m.
Lunch	11:31 a.m.	12:59 p.m.
Dinner	5:31 p.m.	7:59 p.m.
Lodging	(state rate plus tax)	

The maximum out-of-state travel allowance for meals and lodging is per diem at the state rates. Lodging for out of state travel is **\$150.00** plus tax, or actual cost.

Mileage allowance when traveling by private automobile will be state rate.

LEGAL REF:	SDCL 3-9-1
	3-9- 2
	3-9-5
	3-9-5.1
	3-9-5.2
	4-7-10.4
	8-17

## **FINANCIAL POLICIES – Series 700**

### CASH IN SCHOOL BUILDINGS – 700.29

The amount of money retained overnight in the school will be limited to that needed for day to day operation.

## **FINANCIAL POLICIES – Series 700**

### **SCHOOL PROPERTIES DISPOSAL PROCEDURE – 700.30**

The Board may sell property of the school district that it considers no longer necessary, useful or suitable for school purposes. Land, structures or other property sold must be appraised by three real property owners of the school district. The governing board may employ a person or persons licensed by the state to do fee appraisals in lieu of property owners.

Property appraised for less than \$500 may be sold without advertising for bids. Property, including property created as a result of an education program, appraised for more than \$500 will be advertised for sale in the official newspaper for two consecutive weeks, the first publication may not be less than 15 days before the sale. The notice of sale will describe the property to be sold, the appraised value and the time when bids will be opened by the Board. Sealed bids will be filed with the business manager and opened at the Board meeting as specified in the notice.

The Board will sell the property to the highest bidder if the bid is equal to or greater than 90 percent of the appraised value of the property.

In lieu of the acceptance of bids, school property may be sold at public auction. The auction will be advertised by posting notices and newspaper advertising as described above. Property sold at public auction need not be appraised but the Board should establish a minimum price.

Any school district library may discard over-duplicated, outdated, inappropriate, or worn library materials in accordance with state laws. Such discarded materials may be given to other libraries or to nonprofit agencies, destroyed, offered for public sale or traded to a vendor for future library material purchasing credits.

By law the district may also exchange or transfer property to the city, town or county within or partly within its boundaries. The Board and the governing board of the respective jurisdiction will determine the terms and conditions of the exchange of transfer.

LEGAL REF:           SDCL 6-13-1 through 6-13-13  
                              13-15-7  
                              13-24-4  
                              13-24-9

# **SUPPORT POLICIES**

## **Series 800**

<b>800</b>	<b>SUPPORT POLICIES</b>
800.1	Accident Prevention and Safety Procedures
800.2	First Aid
800.3	Fire Drills
800.4	Emergency/Inclement Weather Closings
800.5	Vandalism
800.6	Maintenance and Control of Instructional Materials
800.7	Food Services Management
800.8	Free and Reduced Price Food Services
800.9	Insurance Management
800.10	Bus Safety
800.11	Drug and Alcohol Testing for Bus Drivers

## **SUPPORT POLICIES – Series 800**

### **ACCIDENT PREVENTION AND SAFETY PROCEDURES – 800.1**

Student safety will be considered a part of the general education program.

- 1) Students in science and industrial arts classes will be given an orientation each semester regarding equipment and materials.
- 2) Every student, teacher and visitor is required to wear industrial quality eye protection when participating or observing the following:
  - a) Vocational or industrial arts shops or laboratories involving experience with the following: hot molten metal; milling, sawing, turning, shaping, cutting, grinding or tamping of any solid materials; heat treatment, tempering or kiln firing; gas or electric arc welding; repair or servicing of any vehicle; caustic or explosive materials.
  - b) Chemical or combined chemical-physical laboratories involving caustic or explosive chemicals or hot liquids or solids.

LEGAL REF:           SDCL 13-24-18.4  
                          ARSD Article 61:13

## **SUPPORT POLICIES – Series 800**

### **FIRST AID – 800.2**

The school is responsible for providing first aid or emergency treatment in cases of sudden illness or injury to a pupil or a staff member. Further medical attention in the case of a pupil is the responsibility of the parent, guardian, or the person designated for emergencies.

The administration will direct the immediate care of ill or injured persons.

The following requirements will be met:

- 1) Only first aid will be provided in the school.
- 2) Teachers, bus drivers, or other persons are responsible for administering first aid to students with minor injuries such as scratches, abrasions, bruises, etc.
- 3) A master first aid kit is kept and properly maintained in the school and on each school bus.
- 4) School personnel will administer no medications unless authorized by a physician.
- 5) Parents will sign and submit an emergency medical authorization, which indicates the procedure to follow in event of a medical emergency.
- 6) In cases where the nature of an illness or an injury appears serious, the parent/guardian will be contacted if possible, and their emergency instruction card followed. In extreme emergencies, arrangements may be made for a child's emergency care whether or not the parent or guardian can be reached.
- 7) No injured student will be sent home alone, unless the parent/guardian has been informed in advance.

## **SUPPORT POLICIES – Series 800**

## FIRE DRILLS – 800.3

A fire drill is held twice each semester, with a minimum of four drills each school year.

Instructions will be furnished by administration to teachers and students as to route and manner of exit during fire drills. Special instruction in fire drill procedure(s) will be given to students the first week of school. The first fire drill of the school year will be held during the first two weeks of school.

Fire drills will be held without warning and be varied in procedure to give the students the experience of varying fire possibilities. Order rather than speed will be stressed in fire drills.

Every teacher will be familiar with the location of fire extinguishers in the building and will be informed regarding the location and operation of fire alarms. The administration will keep a record of all fire drills held in the school. This record includes the date of the drill and the time required for evacuation.

LEGAL REF:           ARSD Chapter 61:15  
                              SDCL 13-25-10



## EMERGENCY/INCLEMENT WEATHER CLOSING – 800.4

Schools will be closed when, in the judgment of the Superintendent, conditions would not be safe for students to drive or walk to school. The official statement regarding dismissal of school will be made over the radio stations WNAX 570, KYNT 1450 and KVHT 106.3 and the television stations KSFY, KELO and KDLT.

LEGAL REF:           SDCL 13-8-39  
                              13-10-2  
                              13-26-2

## **SUPPORT POLICIES – Series 800**

VANDALISM – 800.5

Every citizen, student, staff member and/or members of the police department are urged to report any incidents of vandalism to school property, including the name(s) of the person(s) believed to be responsible. Each employee will report incidents of vandalism as possible to administration.

The Superintendent may file a criminal report and press charges.

Any student found guilty of any form of vandalism or defacement of school property will be disciplined according to school district policy.

Parents and students will be made aware of the legal implications involved. Reimbursements will be sought for all or part of any damages.

LEGAL REF: **SDCL** 25-5-15

## **SUPPORT POLICIES – Series 800**

### MAINTENANCE AND CONTROL OF INSTRUCTIONAL MATERIALS – 800.6

All instructional materials and equipment will be classified and catalogued accordingly. Textbooks will be available to all children.

All textbooks purchased will be district property.

Each teacher will keep an accurate record of books issued to their students. When a textbook is damaged or lost the responsible students will be required to pay for the damage.

Every book will be stamped.

All media materials and equipment will be maintained.

#### Loan of Textbooks to Nonpublic Schools

In accordance with state law, the Board may approve the loan of nonsectarian textbooks to students enrolled in nonpublic schools in the district.

LEGAL REF:           SDCL 13-34

## **SUPPORT POLICIES – Series 800**

### **FOOD SERVICES MANAGEMENT – 800.7**

The school system will operate a school lunch program, which will be under the supervision of the cafeteria supervisor.

Food services will include hot lunches, and a milk program for kindergarten.

The Board will approve the prices for school lunches and for milk.

As required for participation in the National School Lunch Program, the Board agrees to the following regulations:

- 1) That a "Type A" lunch be made available for students.
- 2) That free and reduced price lunches be provided students who cannot afford to pay the price of the "Type A" lunch.

Students will also be permitted to bring their lunches from home and to purchase beverages and incidental items.

September 12, 1994

LEGAL REF: Federal National School Lunch Act of 1946, as amended;  
Child Nutrition Act of 1966, as amended; Commodity Distribution  
Program;  
SDCL 13-35-1 through 13-35-5  
ARSD 24:03:09:11

## **SUPPORT POLICIES – Series 800**

### **FREE AND REDUCED PRICES FOR FOOD SERVICES – 800.8**

The district will take part in the National School Lunch Program and other programs that may become available to all children in the district.

As required by law and regulations of the State, the Board will offer free and reduced price lunches, and free milk to those qualifying. In accordance with the guidelines for participation in these programs, no child, who a teacher believes is improperly nourished will be denied free lunch, breakfast, milk, or other food simply because proper application has not been received from his/her parent/guardian.

The Superintendent will establish regulations for participation in programs for free and reduced price meals and supplementary food. Such regulations will be reported to the Board as needed for its approval.

The business manager will keep all financial records of these programs in a separate account.

## **SUPPORT POLICIES – Series 800**

### **INSURANCE MANAGEMENT – 800.9**

The Superintendent and business manager will prepare for review and approval by the Board, specification for insurance coverage of various types so that the insurance may be placed by competitive quotations. Any modification of these specifications, which may be considered necessary because of changes in the law or substantial changes in the school district's exposure values, will be brought before the Board for its consideration and action.

LEGAL REF:           SDCL 3-9-3  
                              13-10-3  
                              13-10-9

## **SUPPORT POLICES – Series 800**

### **BUS SAFETY – 800.10**

In the operation of the district's transportation program, the first consideration will be given to safety.

All buses except those designed for carrying nine or less passengers, and drivers must meet all federal and state requirements, and the drivers must understand all policies and regulations pertaining to school bus operation. All bus drivers shall receive appropriate training. All vehicles used to transport children will be properly maintained to provide safe and efficient transportation service with a minimum of delays and disruption due to mechanical or equipment failure.

The school Superintendent, with assistance from the transportation supervisor, will have the responsibility for developing safety regulations to be followed by the passengers, including rules of student conduct during transportation and at bus stops. It is absolutely necessary that students riding the school buses conduct themselves in an orderly manner and that all safety regulations are observed.

LEGAL REF:           ARSD 24:06  
                              SDCL 13-29

## **SUPPORT POLICES – Series 800**

### **DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS – 800.11**

School bus drivers shall be subject to a drug and alcohol-testing program that fulfills the requirements of the Federal Code of Federal Regulations. Other persons who drive vehicles designed to transport 16 or more passengers, including the driver, are likewise subject to the drug and alcohol-testing program.

In an effort to comply with federal law by the required compliance date, any testing done under the district's permissive authority before that date shall be conducted in accordance with the procedures set forth in federal regulations.

#### **PRE-EMPLOYMENT TEST**

Tests shall be conducted before the first time a driver performs any safety-sensitive function for the district. Any driver who refuses to submit to a pre-employment, post offer test shall not perform safety sensitive functions.

Safety-sensitive functions include on-duty functions performed from the time a driver begins work or is required to be ready to work until he or she is relieved from work and all responsibility for performing work. It includes driving; waiting to be dispatched; inspecting and servicing equipment; supervising; performing or assisting in loading and unloading; repairing or obtaining and waiting for help with a disabled vehicle; performing driving requirements related to accidents; and performing any other work for the district or paid work for any other entity.

#### **DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS**

The tests shall be required of an applicant only after he or she has been offered the position.

Exceptions may be made for drivers who have had the alcohol test required by law within the previous six months and participated in the drug-testing program required by law within the previous 30 days, provided that the district has been able to make all verifications required by law.

#### **POST-ACCIDENT TESTS**

Alcohol and controlled substance tests shall be conducted as soon after an accident as practicable on any driver:

- 1) Who was performing safety-sensitive functions with respect to the vehicle, if the accident involved loss of human life; or
- 2) Who receives a citation under state or local law for a moving traffic violation arising from the accident.

No such driver shall use alcohol for eight hours after the accident, or until after he or she undergoes a post-accident alcohol test, whichever occurs first.



## **SUPPORT POLICES – Series 800**

### **DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS – 800.11/P2**

If an alcohol test is not administered within two hours or if a drug test is not administered within 32 hours, the district shall prepare and maintain records explaining why the tests were not conducted. Tests need not be given if not administered within eight hours after the accident for alcohol or within 32 hours for drugs.

Tests conducted by authorized federal, state or local officials will fulfill post-accident testing requirements provided they conform to applicable legal requirements and are obtained by the district. Breath tests will validate only the alcohol test and cannot be used to fulfill controlled substance testing obligations.

#### **RANDOM TESTS**

Tests shall be conducted on a random basis at unannounced times throughout the year. Tests for alcohol shall be conducted just before; during or just after the performance of safety-sensitive function. Drivers shall be selected by a scientifically valid random process, and each driver shall have equal chance of being tested each time selections are made.

#### **REASONABLE SUSPICION TESTS**

Tests shall be conducted when a supervisor or district official trained in accordance with law has a reasonable suspicion that the driver has violated the district's alcohol or drug prohibitions. This reasonable suspicion must be based on specific, contemporaneous, articulable observations concerning the driver's appearance, behavior, and speech or body odors. The observations may include indications of the chronic and withdrawal effects of a controlled substance.

Alcohol tests are authorized for reasonable suspicion only if the required observations are made during, just before or just after the period of the workday when the driver must comply with alcohol prohibitions. An alcohol test may not be conducted by the person who determines that reasonable suspicion exists to conduct such a test. If an alcohol test is not administered within two hours of a determination of reasonable suspicion, the district shall prepare and maintain a record explaining why this was not done. Attempts to conduct alcohol tests shall terminate after eight hours.

A supervisor or district official who makes a finding of reasonable suspicion shall also make a written record of his or her observations leading to a reasonable suspicion drug test within 24 hours of the observed behavior or before the results of the drug test are released, whichever is earlier.

#### **RETURN-TO-DUTY TESTS**

A drug or alcohol test shall be conducted when a driver who has violated the districts' drug or alcohol prohibition returns to work to perform safety-sensitive duties.

## **SUPPORT POLICES – Series 800**

### **DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS – 800.11/P3**

Employees whose conduct involved drugs cannot return to duty in a safety-sensitive function until the return-to-duty in a safety-sensitive function until the return-to-duty drug test produces a verified negative result.

Employees whose conduct involved alcohol cannot return to duty in a safety-sensitive function until the return-to-duty alcohol test produces a verified result that meets federal and district standards.

### **FOLLOW-UP TESTS**

A driver who violates the districts' drug or alcohol prohibition and is subsequently identified by a substance abuse professional as needing assistance in resolving a drug or alcohol problem shall be subject to unannounced follow-up testing as directed by the substance abuse professional in accordance with law. Follow-up alcohol testing shall be conducted just before, during or just after the time when the driver is performing safety-sensitive functions.

### **RECORDS**

Employee drug and alcohol test results and records shall be maintained under strict confidentiality and released only in accordance with law. Upon written request, a driver shall receive copies of any records pertaining to his or her use of drugs or alcohol, including any records pertaining to his or her drug or alcohol tests. Records shall be made available to a subsequent employer or other identified persons only as expressly requested in writing by the driver.

### **NOTIFICATIONS**

Each driver shall receive educational materials that explain the requirements of the Code of Federal Regulations, Title 49, Part 382, together with a copy of the districts' policy and regulations for meeting these requirements. Representatives of employee organizations shall be notified of the availability of this information. The information shall identify:

- 1) The person designated by the district to answer driver questions about the material;
- 2) The categories of drivers who are subject to the Code of Federal Regulations;
- 3) Sufficient information about the safety-sensitive functions performed by drivers to make clear what period of the work day the driver is required to comply with Part 382;
- 4) Specific information concerning driver's conduct that is prohibited by Part 382;
- 5) The circumstances under which a driver will be tested for drugs and/or alcohol;
- 6) The procedures that will be used to test for the presence of drugs and alcohol, protect the driver and the integrity of the testing process, safeguard the validity of test results and ensure that test results are attributed to the correct driver;
- 7) The requirement that a driver submit to drug and alcohol tests;
- 8) An explanation of what constitutes a refusal to submit to a drug or alcohol test and the attendant consequences;

## **SUPPORT POLICES – Series 800**

### **DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS – 800.11/P4**

- 9) The consequences for drivers found to have violated the drug and alcohol prohibitions of Part 382, including the requirement that the driver be removed immediately from safety-sensitive functions and the procedures for referral, evaluation and treatment;
- 10) The consequences for drivers found to have an alcohol concentration of 0.02 or greater but less than 0.04;
- 11) Information concerning the effects of drugs and alcohol on an individuals' health, work and personal life; signs and symptoms of a drug or alcohol problems (the driver's or a co-worker's); and available methods of intervening when a drug or alcohol problem and/or referral to management.

Each driver shall sign a statement certifying that he or she has received a copy of the above materials.

Before any driver operates a commercial motor vehicle, the district shall provide him or her with post-accident procedures that will make it possible to comply with post-accident testing requirements.

When tests are given pursuant to the Code of Federal Regulations, Title 49, Part 382, the district shall so inform drivers before drug and alcohol tests are performed.

The district shall notify a driver of the results of a pre-employment drug test if the driver requests such results within 60 calendar days of being notified of the disposition of his or her employment application.

The district shall notify a driver of the results of random, reasonable suspicion and post-accident drug tests if the test results are verified positive. The district shall also tell the driver which controlled substance(s) were verified as positive.

Drivers shall inform their supervisors if at any time they are using a controlled substance, which their physician has prescribed for therapeutic purposes. Such a substance may be used only if the physician has advised the driver that it will not adversely affect his or her ability to safely operate a commercial motor vehicle.

### **ENFORCEMENT**

Any driver who refuses to submit to a post-accident, random, reasonable suspicion or follow-up tests shall not perform or continue to perform safety-sensitive functions.

A driver who is tested and found to have an alcohol concentration of 0.02 or greater but less than 0.04 shall not perform or continue to perform safety-sensitive functions including driving a commercial motor-vehicle until the start of the driver's next regularly scheduled duty period, but not less than 24 hours after the test was administered.

## **SUPPORT POLICES – Series 800**

### **DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS – 800.11/P5**

A driver who in any other way violates district prohibitions related to drugs and alcohol shall receive from the district the names, address, and telephone numbers of substance abuse professionals and counseling and treatment programs available to evaluate and resolve drug and alcohol-related problems. The employee shall be evaluated by a substance abuse professional who shall determine what help, if any, the driver needs in resolving such a problem. Any substance abuse professional who determines that a driver needs assistance shall not refer the driver to a private practice, person or organization in which he or she has a financial interest, except under circumstances allowed by law.

An employee identified as needing help in resolving a drug or alcohol problem shall be evaluated by a substance abuse professional to determine that he or she has properly followed the prescribed rehabilitation program and shall be subject to unannounced follow-up tests after returning to duty.

LEGAL REF:           Omnibus Transportation Employee Testing Act of 1991  
                          Title 49 CFR Part 382  
                          Title 49 CFR Part 395  
                          Title 49 CFR Part 40  
                          Title 49 US Code §31306  
                          SDCL 32-12A-22  
                                  32-12A-24  
                                  32-12A-25  
                                  32-12A-26

# **COMMUNITY POLICIES**

## **Series 900**

### **900 COMMUNITY POLICES**

- 900.1 Community Uses of School Facilities
- 900.2 Public Gifts to Schools
- 900.3 Public Solicitations/Advertising in the Schools
- 900.4 Public Complaints

## **COMMUNITY POLICIES – Series 900**

### **COMMUNITY USE OF SCHOOL FACILITIES – 900.1**

All written requests for use of school facilities by any outside organizations wishing to use buildings after school hours are to be made to the business manager. School facilities are available to school district, nonprofit organizations and groups, which are not objectionable in nature, provided the organization abides by the regulations below unless waived by school authorities for the particular meeting.

It is to be understood that school activities will take precedent over any other activities and the use of buildings will be so scheduled.

#### Charges

All organizations that qualify to use school facilities will be charged the established rental fees. All rental fees will be paid at the time the contract is signed.

If it is necessary for the school district to employ custodial help on an overtime basis, the school district may charge the hourly rate for overtime commensurate with the current custodial contract in addition to any rental fee charged.

#### Equipment Use

Putting up decorations, or moving pianos or other school furniture is prohibited unless special permission is granted by the building principal. The use of tacks, nails, or anything that may mar the walls is prohibited.

## **COMMUNITY POLICIES – Series 900**

### **PUBLIC GIFTS TO SCHOOLS – 900.2**

Gifts, grants, bequests, or other devises to the schools or any school department may be accepted by action of the Board and will become district property. All gifts will be accepted in the name of the school district, but may be designated for use in a particular school or department.

The Board directs the Superintendent to assure that an appropriate expression of thanks is given all donors.

LEGAL REF:           SDCL 13-14-5

## **COMMUNITY POLICIES – Series 900**

### **PUBLIC SOLICITATIONS / ADVERTISING IN THE SCHOOLS – 900.3**

#### Soliciting

No person will sell or offer for sale within school buildings or on school property any articles or services, or solicit contributions, except those approved by the Superintendent or the Board. This policy does not prohibit any school fund-raising activity authorized by the Board and the school administration.

The school directory or lists of pupils and staff will not be made available to any outside person or agency.

#### Distribution of Literature

Printed or written matter of any nature will not be distributed to students in the schools or on school grounds without prior approval of the Superintendent.

#### Advertising

No notices or advertisements by or in behalf of persons not officially connected with the schools will be distributed in any school building except by permission of the Superintendent or Board.

#### Charity Fund-Raising

The administration may select a special fund or charity project that is considered important. Approval for such a project must be secured from the Superintendent.

LEGAL REF:           SDCL 13-26-8



## COMMUNITY POLICIES – SERIES 900

### PUBLIC COMPLAINTS – 900.4

The school board recognizes that situations arise in the school system that are of concern to parents or the public. The board believes that concerns should be resolved as close to the problem/concern or at the lowest level of decision-making as possible. Concerns and complaints are best resolved through communication with appropriate staff members. The Board, Superintendent and principal will initially refer complaints to the appropriate level if the parent/patron has not made a good faith effort to resolve the complaint at the preceding level starting with a conference with the staff member. (Step 1)

Exceptions to this procedure will be made when the complaint involves the area of special education, or involves unlawful acts by employees or students. In such circumstances, the policies and laws in these areas take precedent. The specific policies are found elsewhere in the School Board Policy Handbook.

Therefore, while certain types of complaints may require different procedures, typical complaints will be addressed as follows:

**Step 1:** Complaints shall be presented to the staff member directly involved in the situation. Staff members welcome inquiries and communications regarding complaints. Most complaints can be resolved at this level with an exchange of information regarding the issue. Staff members, like parents, have a high degree of concern for their students and will work hard to resolve complaints that are raised. Parents are sometimes concerned that staff members will retaliate against students whose parents raise questions. The board of education, administration and staff members are conscious of this concern and will not permit vengeance.

**Step 2:** If the complaint cannot be resolved after a good faith, informal effort in step 1, a formal complaint form by the complainant should be registered with the principal or appropriate supervisor. The principal will document the complaint and will then become involved in an attempt to resolve the complaint.

**Step 3:** If the complaint is not resolved in step 2, the complaint, along with other pertinent information, should be submitted to the Superintendent in a further attempt to resolve the complaint.

**Step 4:** If the complaint is not resolved in step 3, a conference with the school board may be requested. If the complaint involves a staff member, the staff member has the right to attend the conference. If appropriate, the conference may be conducted in executive session.

## **COMMUNITY POLICIES – SERIES 900**

### **PUBLIC COMPLAINTS – 900.4/P2**

Anonymous complaints are most often difficult to act on and resolve for the following reasons:

- 1) Anonymous complainants seldom know all the facts related to the complaint.
- 2) After investigating the complaint, no source exists to clarify the situation or confirm the accuracy of the complaint with the complainant.
- 3) Due process may not be afforded to the party against whom the complaint has been made.

As a result, anonymous complaints will be given appropriate weight, depending on the matter complained of and the specific details involved.

The Gayville-Volin District wants to answer concerns and encourages patrons to bring concerns to the proper level so that complaints can be resolved in a timely manner. Board members will direct patrons to the person best able to solve the problem and may follow up by requesting information from the Superintendent on the disposition of a particular problem. Individual board members cannot act in their official capacity outside an official board meeting. The school board will not act until all avenues of appeal have been exhausted.

Matters referred to the Superintendent and/or Board must be in writing and should be specific in terms of the action desired.

LEGAL REF:           SDCL 13-46-1