

Board Policy Handbook

McLaughlin School District 15-2

2017-2018



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SECTION A: FOUNDATIONS AND BASIC COMMITMENTS**FILE: A-1 EDUCATIONAL PHILOSOPHY**

In today's society, education is a continuous process of learning, not only for the present but for the future. Therefore, the Board will provide an educational environment that promotes and enhances learning as a life-long endeavor. In addition, the Board believes that education is not just the development and refinement of mental capacity but a process that assists the students in meeting their physical, cultural, social, aesthetic, and emotional needs. The Board will strive to provide stimulation and assistance so that each child develops in accordance to his/her individual abilities, interests and potential. The responsibility of the school, therefore, is to help guide the individual in the many and varied educational experiences so that he/she can develop into a wholesome, happy, and productive human being. The Board recognizes the importance of the home as an influence upon the child and believes that a sympathetic, cooperative attitude between the teacher and the parent is necessary in the development of the student's integrated personality. The total staff of the school system constitutes an inestimable and lasting force in the development of the student. The teacher is the most significant influence in the school and, therefore, it is primarily the teacher's responsibility to provide the learning environment in the school that fosters maximum student growth and reflects individual differences. It is further realized that mutual rapport among the home, student, staff, administration, school board, and total community is necessary to implement this policy.

Adopted Date: November 14, 2016

**FILE: A-2 SCHOOL DISTRICT TITLE I PARENTAL INVOLVEMENT LOCAL EDUCATIONAL AGENCY
POLICY**

The McLaughlin School District shall:

1. Post each school's parental involvement policy in board approved student handbooks distributed to all parents/students in the district each year.
2. Establish a District Parent Advisory Council that meets at least annually to plan, review, and improve the program. The Parent Advisory Council membership shall consist of the Administration, teachers, Special Education representation, and parents who represent each one of the Title I project schools in the district.
3. The purpose of the council shall include:
 - a. Involve parents in the joint development of the annual consolidated plan and the process of school review and improvement.
 - b. Provide coordination, technical assistance and other support necessary to assist Title I schools in the planning and implementing effective parental involvement activities to improve student performance and attendance.
 - c. Coordinate and integrate parental involvement strategies with other programs, such as the Head Start Program.
4. Provide all parents the opportunity to annually evaluate the content and effectiveness of the Parent Involvement Policy in improving the academic quality of the Title I schools, including identifying barriers to greater participation by parents. Title 1 program information will be explained at the annual meeting.

Involve parents in the activities of the schools through such activities as, Family Nights, Title I meetings, and Book Fairs.

Adopted Date: November 14, 2016

LEGAL REFS: Elementary and Secondary Education Act of 1965 as amended.

FILE: A-3 NONDISCRIMINATION

The Board is committed to a policy of nondiscrimination to race, sex/gender (including transgender), religion, national background, age, and disability (as disability is defined in federal and state law and regulations). Respect for the dignity and worth of each individual will be paramount in the establishment of all policies by the Board and in the administration of those policies. The Constitutions of our nation and state, pertinent legislation enacted at those two levels of government, as well as court interpretations regarding citizens' rights, undergird this statement. It is the policy of the McLaughlin School District that discrimination based upon race, sex/gender (including transgender), religion, national background, age, and disability (as disability is defined in federal and state law and regulations) is prohibited. The school district shall:

1. Promote the rights and responsibilities of all individuals as set forth in the state and federal constitutions, pertinent legislation, and applicable judicial interpretations.
2. Encourage positive experiences in human values for children and adults who have differing personal and family characteristics or who come from various socioeconomic, racial and ethnic groups.
3. Carefully consider, in all decisions made which affect the schools, the potential benefits, or adverse consequences that those decisions might have on the human relations aspects of all segments of society.
4. Regularly review all policies and practices of this school district in order to achieve to the greatest extent possible the objectives of this policy.
5. Work toward a more integrated society and to enlist the support of individuals as well as that of groups and agencies, both private and governmental, in such an effort.

The Board's policy on nondiscrimination will extend to students, staff, the general public and individuals with whom it does business.

Adopted Date: January 9, 2017

**FILE: A-4 FEDERAL PROGRAMS POLICY AND COMPLAINT PROCEDURE WITH RESPECT TO
FEDERAL PROGRAMS**

POLICY: The McLaughlin School District will not discriminate, in any of its policies and programs, on the basis of age, race, color, creed, national origin, ancestry, religion, sex/gender, children/youth experiencing homelessness, or disability and will not violate any of the provisions of applicable federal programs, statutes, or regulations (e.g., Title IX, Chapter I, Rehabilitation Act Section 504, Americans with Disabilities Act, Title I, NCLB, etc).

In compliance with applicable federal laws and regulations, the McLaughlin School District Board of Education has appointed the Superintendent of Schools to coordinate District programs and compliance with federal mandates prohibiting discrimination. The Superintendent can be reached at the McLaughlin School District, McLaughlin, South Dakota, by calling (605)823-4484.

FEDERAL PROGRAMS GRIEVANCE PROCEDURE:

Definitions:

- A. A complaint is a valid concern by a student, parent or, other patron of the District, employee, employee representatives, or other concerned groups or advisory organizations based upon or concerning an alleged violation, misinterpretation, or inequitable application of any existing policy, rule, regulation, or program of the school district, state, or federal statutes/regulations, regarding discrimination or concerning violations relating to federal programs.
 - B. An aggrieved person is the individual making the claim.
 - C. Days shall mean calendar days. Time frames may be extended upon written mutual agreement.
- I. Right of Parents, Guardians, and Students: Concerning homelessness, students shall be provided with all services for which they are eligible, while disputes are resolved up to and including immediate enrollment, liaison assistance, immediate transportation to the school or origin, and other comparable services.
 - II. Informal Procedure: Any person wishing to pursue the filing of a complaint grievance should first utilize normal channels of communication involving the teacher, administrator, or board in an attempt to seek clarification of areas of concern and resolve the problem.

III. Formal Procedure

A. Level One

- 1. If there is not resolution at the informal level or should the aggrieved person not attempt to resolve the concern at the informal level, a written complaint should be filed within a reasonable time period after the aggrieved person knew or should have known, of the act or condition on which the complaint is based. The written complaint must include the facts, including but not limited to, the date, time, location, persons involved, and concern giving rise to the complaint. The written complaint must also include the specific remedy requested.

2. The aggrieved person shall file the formal complaint in writing with the Superintendent (i.e., the designated federal programs coordinator).
3. The Superintendent or his/her designee shall respond in writing to the complaint within 15 days. If the aggrieved person is not satisfied with superintendent's disposition of the complaint, the aggrieved person may appeal the decision to Level II.

B. Level Two

1. If the aggrieved person is not satisfied with the disposition at Level I, he or she may appeal that decision by filing in writing with the Business Manager an appeal within 10 days of the receipt of the decision at Level I.
2. The notice of appeal shall include a copy of the Level I decision and with specific statement(s) or reason(s) why the Level I decision is being appealed (i.e., how or why the Level I decision is wrong).
3. At its next regular meeting, the Board or its designated agent shall acknowledge receipt of the complaint the grievance and (A) may schedule a time for a hearing before the Board, (B) may designate an individual or committee to investigate the grievance and to report to the Board, or (C) may schedule a hearing on the complaint before the Board.
4. At any hearing before the Board, the aggrieved person shall have the opportunity to present evidence, including an opportunity to question parties involved. The standards of Due Process shall be adhered to and the Rules of Evidence shall be applicable to the degree necessary and appropriate for an orderly hearing and production of facts and evidence necessary for the Board to make an informed decision.
5. The Board shall make a final decision within thirty (30) days of the hearing before the Board and the decision shall be in writing with a copy of the same provided to the aggrieved person.
6. If the aggrieved person is not satisfied with the disposition of the Complaint by the Board, he/she may appeal the decision of the board as provided for in law (and to the South Dakota Department of Education, if applicable).

Adopted Date: November 14, 2016

FILE: A-5 POLICY PROHIBITING SEXUAL HARASSMENT

POLICY STATEMENT: It is the policy of the District to prohibit sexual harassment of its employees, students, and guests of the District by a person and in any form. All employees, students, and guests should be able to enjoy a work and learning environment free from all forms of discrimination, including sexual harassment.

POLICY: It is expressly against the District policy for any individual (employee, student, or guest) to make unwelcome sexual advances, requests for sexual favors, or to engage in any other physical or verbal conduct of a sexual nature toward any other person on school property or at a school activity while not on District property, when:

1. Submission to such conduct is made an express or implied condition of employment;
2. Submission to or rejections of such conduct is used as a basis for employment, academic, or extracurricular decisions affecting the individual who either submits to or rejects the conduct;
3. Such conduct has the purpose or effect of interfering with the employee's work performance, student's educational performance, or creates an intimidating, hostile, or offensive working or education environment.

SEXUAL HARASSMENT: Sexual harassment is defined as sexually oriented words and actions which tend to annoy, alarm, or be physically or verbally abusive toward another person and which serve no legitimate or valid purpose and regardless of the intent of the person accused of sexually harassing conduct. Not all harassment falls within the definition of sexual harassment (i.e. harassment that is of a sexual nature). Other policies (such as the student conduct policy, the District's nondiscrimination policy, and the Codes of Professional Ethics for Teachers and for Administrators) also prohibit inappropriate conduct and provide a means for addressing inappropriate conduct should it occur.

Sexual harassment is a specific type of harassment and the type of harassment prohibited under this policy. Examples of sexual harassment include, but are not limited to:

1. Unwelcome sexual flirtations, advances, or propositions;
2. Verbal comments, jokes, or abuse of a sexual nature;
3. Graphic verbal comments about an individual's body;
4. Sexually degrading words used to describe an individual;
5. Displaying pornographic material;
6. Physical contact or language of a sexually suggestive nature.

REPORTING SEXUAL HARASSMENT: Any individual who believes that he/she has been or is being subjected to sexually harassing conduct or has reason to suspect another person has been or is being subject to sexual harassment should immediately report it to a school administrator. The report initially may be made verbally or in writing, but if made initially verbally, the individual making the complaint will be asked to submit a written complaint or sign an information reporting statement written by the person to whom the report was given. The written complaint or reporting statement must include the name of the person making the complaint, the person(s) alleged to have sexually harassed the complaining party, the date(s) and nature of the sexual harassment. The District shall investigate all verbal and written reported instances involving sexual harassment.

PROCEDURE FOR ADDRESSING COMPLAINTS:

1. Should an individual come forward with a complaint of sexual harassment, an investigation of the alleged incident(s)/behavior(s) will be initiated. If the allegation involves a student and a District employee, the Department of Social Services and/or legal authorities will be notified. The District's investigation may include, but is not limited to, such things as interviewing individuals with actual or possible knowledge regarding the conduct in question, identifying facts related to the conduct in question, identifying when and over what period of time the conduct is to have occurred, determining whether the conduct affects the employment or learning environment (and if so, in what manner), identifying prior history of a similar nature by any of the individuals involved, and attempting to obtain possible verification and from other employees, students, or other individuals.
2. The person alleged to have sexually harassed another person will be notified in writing that a complaint has been filed pursuant to this policy and that the complaint is being investigated. The name of the person making the complaint will not be disclosed to the person alleged to have sexually harassed the person making the complaint unless upon completion of the investigation there is reasonable cause to suspect that sexual harassment did occur.
3. Pending the outcome of the investigation and, if deemed appropriate, an employee or a student alleged to have sexually harassed another person may be suspended from employment or school and an invitee may not be allowed on school premises.
4. Upon reasonable suspicion by the person responsible for the investigation that the allegation may be true, the employee or student accused of sexually harassing conduct shall be notified in writing that reasonable suspicion exists that the complaint may be valid, a statement of the facts supporting the determination that reasonable suspicion exists, and the name of the alleged victim and complaining individual(s).
5. The District will maintain confidentiality to the maximum extent possible under the circumstances. However, a person reporting sexual harassment must understand that should the administrator investigating the complaint determine there is reasonable cause to suspect that sexual harassment did occur which could result in administrative discipline or a referral to the Board of Education, the person alleged to have sexually harassed another person has the right to know the identity of the person(s) making the complaint.
6. The employee or student alleged to have sexually harassed another person in violation of this policy shall be afforded an opportunity to respond in writing but is not required to submit a written response.
7. At the conclusion of the investigation, the administration may up to the extent of administrative authority impose disciplinary action or alternatively refer the matter to the Board of Education. Should the administration impose discipline on an employee or student and not refer the matter to the Board, the employee, or student disciplined may file an appeal (grievance) directly with the Board of Education pursuant to the applicable grievance policy.
8. If the administration refers the matter to the Board of Education the employee or student alleged to have sexually harassed another person a hearing will be held before the Board of Education consistent with due process procedures.

9. If there is reasonable suspicion to believe that a guest at school or at a school activity on non-school property sexually harassed another person in violation of this policy, the administration may prohibit that person from being on school property or at school activities.

BOARD HEARING:

1. Should the matter be referred by the Administration to the Board, a formal hearing shall be held before the Board in executive session.
2. At the hearing, the Administration shall present evidence relative to the allegation of sexual harassment and the employee or student accused of violating this policy will have an opportunity to present evidence in his/her defense.
3. The Standards of Due Process shall be adhered to at the Board hearing, including the right of the person accused of violating this policy to have representation and to cross-examine the complaining party.

BOARD DISCIPLINARY ACTION: If following the Board hearing the Board determines there has been a violation of this policy prohibiting sexual harassment, Board action may include but is not limited to the following:

1. If the person found violating this policy is an employee, suspend the employee without pay, and/or not renew or terminate the employment contract, and/or issue a written reprimand (a copy of which would be placed in the employee's file), and/or file a Professional Practices Complaint.
2. If the person found violating this policy is a student, the Board may suspend or expel the student from any or all school programs, including but not limited to classes, extracurricular activities, or attendance at school activities.

PROHIBITION AGAINST RETALIATION: The District strictly prohibits retaliation against any person because he/she has reported, testified, assisted, or participated in the investigation of a report of alleged sexual harassment. Retaliation includes, but is not limited to, any form of verbal or physical reprisal or adverse pressure. The person(s) alleged to have sexually harassed another person shall not directly or indirectly (such as through a third person) harass, pressure, or retaliate against any other person because of the complaint being reported and a violation of this provision may lead to separate disciplinary action based on the retaliation. Any person who believes he/she is being subjected to retaliation because of his/her involvement with the sexual harassment complaint should immediately contact a school administrator.

Adopted Date: November 14, 2016

SECTION B: SCHOOL BOARD GOVERNANCE AND OPERATION

FILE: B-1 SCHOOL BOARD LEGAL STATUS

The School Board derives its authority from the Constitution of the State of South Dakota, from the acts of the State Legislature, and the regulations of the South Dakota Department of 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, the Board members will hold office for terms of three years.

Adopted Date: December 12, 2016

FILE: B-2 SCHOOL BOARD POWERS AND DUTIES

Under the laws of South Dakota, the School Board acts as the governing body of the public schools 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 schools and support them in the discharge of his/her responsibilities.
2. To formulate and enact policy and, except as to such policies the administration of which is reserved to the Board or which the Board may not delegate, to delegate the application of policies to the Superintendent and staff, who will be held responsible for the effective administrations and supervision of the entire school system. Nothing in this provision authorizing delegation of administration of policies to school administration or staff shall be construed however as the Board relinquishing its responsibilities under the law for the charge, direction, and management of the school district.
3. To provide for the planning, expansion, improvement, financing, construction, and maintenance of the physical plant of the school system.
4. To establish and maintain records, accounts, archives, management methods, and procedures incidental to the conduct of school business.
5. To approve the budget, financial reports, audits, major expenditures, payment of obligations, and policies that enable the administration to formulate regulations and other guides for the orderly accomplishment of business.
6. To estimate and levy taxes for the operation, support, maintenance, improvement, and extension of the school system.
7. To approve courses of study, and provide instructional materials.
8. To employ support and certificated personnel to carry out school programs and provide fair and equitable compensation.
9. To evaluate the educational program to determine the effectiveness with which the schools are achieving the educational purpose of the school system.
10. To provide for the dissemination of school district information to the public and maintain open lines of communication with the community.

Adopted Date: December 12, 2016

FILE: B-3 BOARD MEMBER AUTHORITY

The powers delegated to a school board by the state are delegated to the board as a whole. The Board exercises its powers and duties only in properly called meetings, where a majority of the Board constitutes a quorum to transact business. Except when performing a specific duty as ordered or directed by the Board, the decision and actions of a single member of the Board shall not be binding on the Board. Any such decisions and actions done by an individual board member, after having been ordered or directed by the Board, are subject to Board approval. Unless given prior specific authority by the Board to act on behalf of the Board, an individual board member has no authority different than that of the general public.

Adopted Date: December 12, 2016

FILE: B-4 SCHOOL BOARD ELECTIONS

Members of the Board are elected at-large at the annual election held on the third Tuesday in June. School Board members are elected for three year terms.

School board elections shall be conducted in accordance with SDCL 13-7.

Adopted Date: December 12, 2016

FILE: B-5 BOARD MEMBER QUALIFICATION

A person is legally qualified to become a member of a school board if they are a United States Citizen, complies with the provisions of law relating to the registration of voters and is a qualified elector residing within the school district, at least 18 years of age, and not otherwise disqualified. In accordance with state law, no elective county, municipal, or state officer or holder of any other office, whose duties are incompatible or inconsistent with duties of the school board member will be eligible for such membership.

Adopted Date: December 12, 2016

FILE: B-6 BOARD MEMBER OATH OF OFFICE

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.

Adopted Date: December 12, 2016

FILE: B-7 BOARD MEMBER RESIGNATION/REMOVAL FROM OFFICE

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

1. Dies.
2. Is removed from the board.
3. Fails to qualify as provided by law.
4. Ceases to be a voting resident of the district where elected.
5. Is convicted of an infamous crime or of any offense involving a violation of the official oath of office.
6. Has a judgment obtained against him/her for breach of official bond.
7. Is incapacitated and is unable 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 their official capacity as a Board member until that time.

Adopted Date: December 12, 2016

FILE: B-8 UNEXPIRED TERM FULFILLMENT

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 a regularly scheduled School Board meeting. The newly appointed school board member will serve until the next succeeding election, at which time a successor will be elected to serve the remainder of the unexpired time, if any.

Adopted Date: December 12, 2016

FILE: B-9 SCHOOL BOARD CODE OF ETHICS

WHEREAS, it is the duty of the McLaughlin School Board and its members to ensure the efficient, fair, and professional administration of school governance and services. Now, therefore, the McLaughlin School Board hereby adopts the following code of ethics for members of the McLaughlin School Board:

School Board members shall:

1. Recognize that the authority vests with the majority of the school board when assembled in open meetings or executive meetings as authorized by law, that no school board member has legal status to bind the District, and that no individual school board member or a minority of school board members may make decisions on behalf of the District unless expressly authorized by law and upon approval of a majority of school board members.
2. Make informed decisions on matters brought before the school board;
3. Recognize and adhere to the policy that it is the responsibility of the school board to plan, make, implement, appraise, and enforce policies and that it is not the responsibility of the school board or school board members to run the day-to-day operations of the District;
4. Observe and enforce federal and state laws and regulations;
5. Respect the limited intent and scope of executive sessions as set forth in statute;
6. Respect privileged communications made during executive sessions held pursuant to SDCL 1-25-2 and shall not divulge privileged communications made during executive session held pursuant to SDCL 1-25-2 unless required by law or with the prior approval of the school board;
7. Distinguish between personal views and those of the school board when making public comments regarding school district matters;
8. Present information to the school board without distortion and accurately represent facts concerning school district matters in direct or indirect public statements;
9. Maintain professional relationships in a manner which are free of vindictiveness, recrimination and harassment;
10. Avoid impropriety and the appearance of impropriety in his/her position as an elected official;
11. Refer all public complaints and personal criticisms to the appropriate school administrator and only after inability to have resolution at the administrative level allow the complaint or criticism to be discussed at a school board meeting;
12. Respect the legitimacy of the goals and interests of other school board members and respect the rights of other school board members to pursue goals and policies different from their own;
13. Respect, require and contribute to the maintenance of order and decorum in proceedings before the school board;
14. Be honest, patient, dignified, and courteous to those with whom he/she deals with in his/her official capacity;
15. Dispose promptly of the business of the school district for which he/she is responsible and diligently discharge responsibilities;
16. Inform the school board president or school district business manager as soon as possible upon learning that he/she will not be in attendance at a school board meeting;

17. Refrain from financial, personal, professional, and business dealings that interfere with, are in conflict with, or give the appearance of being in conflict with the proper performance of official duties;
18. Not exploit the school district or use the office of a school board member for personal gain, for the gain of friends or supporters, or to promote political candidates or partisan political activities;
19. Not accept nor offer any gratuities, gifts, services, or things of value that (A) impair professional judgment, (B) offer special advantage or benefit to any person or organization, or (C) provide a direct or indirect personal benefit.
20. Not commit any act of moral turpitude or gross immorality;
21. Not allow family, social, or other relationships to inappropriately influence his/her decisions as a school board member.

Pursuant to SDCL 1-25-2, the school board may enter into executive session to discuss the performance of an elected school board member, the performance which could include a perceived or alleged violation of this policy. Should the majority of school board members determine that a school board member has violated one or more provisions of this policy, the school board may, in open session, reprimand the school board member for the violation.

Adopted Date: December 12, 2016

FILE: B-10 BOARD MEMBER CONFLICT OF INTEREST

- A. Subject to the exceptions set forth in section (B) below, no school board member shall be interested, either by himself/herself or agent, in any contract entered into by the District, either for labor or services to be rendered, or for the purchase of commodities, materials, supplies, or equipment of any kind, the expense, price, or consideration of which is paid from public funds or from any assessment levied by the school district, or in the purchase of any real or personal property belonging to the school district. Such contract shall be null and void from the beginning.
- B. Section (A) shall not be applicable if the contract is made pursuant to any one of the conditions set forth in the following subdivisions, without fraud or deceit; but, the contract is voidable if the provisions of the applicable subdivision were not fully satisfied or present at the time the contract was entered into:
 - 1. Any contract involving three thousand dollars or less regardless of whether other sources of supply or services are available within the school district, if the consideration for such supplies or services is reasonable and just;
 - 2. Any contract involving more than three thousand dollars but less than the amount for which competitive bidding is required, and there is no other source of supply or services available within the school district if the consideration for such supplies or services is reasonable and just and if the accumulated total of such contracts paid during any given fiscal year does not exceed the amount specified in SDCL 5- 18-3;
 - 3. Any contract with any firm, association, corporation, or cooperative association for which competitive bidding is not required and where other sources of supply and services are available within the school district and the consideration for such supplies or services is reasonable and just, unless the majority of the governing body are members or stockholders who collectively have controlling interest, or any one of them is an officer or manager of any such firm, association, corporation, or cooperative association, in which case any such contract is null and void;
 - 4. Any contract with any firm, association, corporation, or cooperative association for which competitive bidding procedures are followed pursuant to Chapter 5-18, and where more than one such competitive bid is submitted;
 - 5. Any contract for professional services with any individual, firm, association, corporation, or cooperative, if the individual or any member of the firm, association, corporation, or cooperative is a school board member, whether or not other sources of such services are available within the school district, if the consideration for such services is reasonable and just;
 - 6. Any contract for commodities, materials, supplies, or equipment found in the state price list established pursuant to §§ 5-23-8.1, at the price there established or below.
- C. No school board member may participate in discussing or vote on any issue in which the school board member has a conflict of interest. The school board member shall decide if any potential conflict of interest requires him/her to be disqualified from participating in discussion or voting. However, no school board member may participate in discussing or vote on an issue if the following circumstances apply:

1. The school board member has a direct pecuniary interest in the matter before the school board; or
2. At least two-thirds of the governing body votes that the school board member has an identifiable conflict of interest that should prohibit the school board member from voting on a specific matter. An identifiable conflict of interest exists when the matter before the school board:
 - a. Financially benefits one closely tied to the official, such as an employer, or family member,
 - b. Benefits a blood relative or close friend in a non-financial way, but a matter of great importance, or
 - c. May result in a school board member's individual's judgment being affected because of membership in some organization and a desire to help that organization further its policies.

Adopted Date: December 12, 2016

LEGAL REFS: SDCL 6-1-1; SDCL 6-1-2; SDCL 6-1-17; SDCL 13-7-3; SDCL 13-20-2.1; SDCL 3-23-6

FILE: B-11 BOARD OFFICERS

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 chairman 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-officio 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 on and discuss 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 chairman in his/her absence. He/she will also perform such other duties as may be assigned by the Board.

Adopted Date: December 12, 2016

FILE: B-12 NEWS RELEASES

The Board President will be the official spokesman for the Board, except as this duty is delegated by the Board President or the School Board to another person. The Superintendent or his/her designee will be the press liaison for coordinating the release of information concerning the school district and the actions of the Board.

School Board members writing informational articles for publication will first submit the proposed article to the Board President for review. After revision, if any, the article will be submitted to the full board for approval prior to publication.

While it is impossible to know how news releases will be treated by the press, every possible effort should be made to obtain coverage of school activities and personnel which will create and maintain a dignified and professionally responsible image for the school system.

Adopted Date: December 12, 2016

FILE: B-13 APPOINTED BOARD OFFICIALS

The Board will employ a Business Manager who may be authorized to make all purchases for the School Board, in compliance with state law and within the budget approved by the Board. Other duties of the Business Manager include:

1. Keeping an accurate record of the Board proceedings. The Business Manager will be responsible for the safekeeping of the minutes.
2. Assuming responsibility for a detailed account of all Board business and preparation of periodic and annual reports of the receipts and expenditures of the district.
3. Issuing of all warrants for the payment of verified bills, salaries, and contracts approved for payment by the Board.
4. Publishing proceeding of the Board consistent with laws regarding the publication of Board minutes.
5. Assuming responsibility for the conduct of school elections.
6. Performing such other duties as the Board may require and as required by law.

Adopted Date: December 12, 2016

FILE: B-14 BOARD-SUPERINTENDENT RELATIONSHIP

The Board believes that the legislation of policies is its most important function and that execution of those policies is the function of the Superintendent. Together, the Board and the Superintendent are a team, each playing a well-defined position.

The Superintendent will be the Chief Executive Officer of the Board and will be responsible for the administrative and advisory functions of the Board. Planning, policy making, and evaluation are the functions of the Board.

The Board holds the Superintendent responsible for the administration of its policies, the execution of Board decisions, the operation of internal machinery designed to serve the school program, and for keeping the Board informed about school operations and problems.

Adopted Date: December 12, 2016

FILE: B-15 BOARD COMMITTEES

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. All committees will be appointed by the Board chairman through a nomination process or a board member may volunteer. The Board chairman 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. All committee appointments will be for no longer than necessary to discharge the completion of their assignment.

Adopted Date: December 12, 2016

FILE: B-16 SCHOOL ATTORNEY

The Board may appoint an attorney at its discretion to advise and represent the district. It will be the duty of the school attorney to advise the Board and the Superintendent on the specific legal problems submitted to him/her. He/she will attend meetings upon request and will be sufficiently familiar with Board policies, practices, and actions under these policies and requirements of the school code of the state to enable him/her to offer the necessary legal advice.

Adopted Date: December 12, 2016

FILE: B-17 SCHOOL BOARD MEETINGS

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 regular monthly school board meeting, however, may be rescheduled to another date due to holidays, conflicts with other school activities, inclement weather, or other valid reasons. 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 on an outside window so the public has access and can view it at least twenty-four hours prior to the meeting. The agenda will also be posted on the school district's website and on Board Docs.

Special Meetings: Special meetings may be called by the President of the Board, 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 and the Superintendent by the Business Manager, either orally or in writing, in sufficient time to allow each member's presence. No business other than that stated on 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 to the extent circumstances permit.

Telephone Conference Call Meetings, including executive meetings, may be conducted by a telephone conference call. Members shall be deemed present if they answer present to the roll call taken over the phone. Except for executive meetings held by teleconference, there shall be provided one or more places at which the public may listen to and participate in the meeting.

Meetings open to the Public: All regular and special meetings of the Board are open to the public unless the Board is in executive session.

Adopted Date: December 12, 2016

Legal Reference: SDCL 1-25-1.1

FILE: B-18 EXECUTIVE SESSIONS

It is the Board's belief that 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. However, the Board more properly discusses some matters in private session.

1. As permitted by law, an executive or closed meeting may be held for the sole purposes of: (A) Discussing the qualifications, 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; (B) Discussing the expulsion, suspension, discipline, assignment of or the educational program of a student; (C) Consulting with legal counsel or reviewing communications from legal counsel about proposed or pending litigation, consulting with legal counsel, or reviewing communications from legal counsel about contractual matters; (D) Preparing for contract negotiations or negotiating with employees or employee representatives; (E) 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.
 - a. An executive session may be held only upon a majority vote of the members of the Board present and voting. The Board has the sole authority to determine which person(s), if any, shall be allowed to be in executive session with the Board.
 - b. A violation of this provision may result in the school board member(s) being found guilty of a Class 2 misdemeanor and may also subject the Board to a public reprimand issued by the South Dakota Open Meetings Commission.
2. 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 disclose 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.

Adopted Date: December 12, 2016

LEGAL REFS: SDCL 1-25-2

FILE: B-19 AGENDA FORMAT AND PARLIAMENTARY PROCEDURE

Policy Statement: In order for the McLaughlin School Board to conduct its meeting in an orderly and efficient manner the McLaughlin School Board determined that it is appropriate to set forth the meeting agenda format and meeting protocol in order that the same may be utilized.

The Board shall use the following agenda format as a guideline for the meeting agenda and meeting, however, nothing within these guidelines prohibits the Board from conducting a meeting in a sequence different than that in the following guidelines as the circumstances may warrant, provided such change in sequence is made at the time of agenda approval:

1. Call to order
2. Welcome Visitors
3. Pledge of Allegiance
4. Disclosures
5. Approval of Proposed Agenda
6. Approval of Consent Agenda
7. Reports
8. Old Business
9. New Business
10. Executive Session (SDCL 1-25-2), if necessary
11. Closing Items
12. Adjournment

The McLaughlin School Board shall utilize the latest version of Robert's Rules of Order for Parliamentary Procedure as the guide for conducting official meetings held by the Board, however, in utilizing Robert's Rules of Order for Parliamentary Procedure it is not intended nor is it required that there be strict compliance with Robert's Rules of Parliamentary Procedure.

Adopted Date: December 12, 2016

FILE: B-20 PROPOSED AGENDA PREPARATION AND DISSEMINATION

The proposed and tentative agenda for all meetings of the Board will be prepared by the Superintendent in consultation with the Board President. Any Board member, staff member or citizen of the district may suggest items of business that must be approved by the board president and the superintendent. The agenda will allow time for the remarks of the public who wish to speak briefly before the Board prior to the Board conducting meeting business.

The Board will follow the order of business as reflected in the proposed agenda unless the order is altered by a majority vote of the members present at the time the agenda is approved. Items of business not on the proposed/tentative agenda may be discussed and acted upon if a majority of the Board members agree to add the item to the agenda at the time the meeting agenda is approved by the governing board.

The proposed/tentative agenda, together with supporting materials will be distributed to Board members at least 72 hours prior to the Board meeting to permit them to give items of business careful consideration.

The District shall provide notice of meeting and proposed agenda to the public as required in SDCL Ch. 1-25.

Adopted Date: December 12, 2016

FILE: B-21 QUORUM

A majority of the school board membership constitutes a quorum for the transaction of school business. The McLaughlin School Board is a 5-member board. Therefore, there must be 3 members present in order to establish a quorum.

Adopted Date: December 12, 2016

FILE: B-22 VOTING METHODS

Votes on all motions and resolutions will be by "ayes" and "nays". No secret ballots will be used. At the discretion of the president, or on the request of a school board member, or as may be required by law, a roll call vote will be made and the vote of members will be recorded. All telephone conference calls will be a roll call vote. On a voice vote, any member may request that his vote be recorded. Any board action may be taken if it is approved by the majority of the members voting unless more than a majority is required by law with respect to such action (for example, SDCL 6-1-17 requires a two-thirds vote of all members of the school board).

Adopted Date: December 12, 2016

FILE: B-23 MINUTES

The minutes of the 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 or when the salary agreement is completed.

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.

Adopted Date: December 12, 2016

FILE: B-24 PUBLIC PARTICIPATION AT BOARD MEETINGS

School Board meetings are open to the public which are meetings that the public may observe elected representatives conducting business (as compared to a “public meeting” where the public participates in the meeting). The Board invites and welcomes the public to attend its meetings to become better acquainted with the operation and programs of the District and the Board invites and welcomes public comments and suggestions;

The procedure for public participation at School Board meetings is as follows:

- a. Any individual or delegation (with one person being the spokesperson for the delegation) who desires to address the Board regarding an item, whether on the posted proposed agenda or not, shall “sign in” prior to the meeting being called to order on a form prepared by the Board, identify the meeting date, the name and address of the person wishing to address the Board, and the topic on which the person wishes to speak;
- b. Persons having “signed in” shall be recognized by the Board during the public forum portion of the meeting, beginning with persons wishing to speak on a topic which is not on the agenda and then by persons wishing to speak on agenda items in the order in which they appear on the agenda.
- c. Each person will be granted 5 minutes to present comments to the Board.
- d. Upon receiving a request for an extension of time from the speaker, the Board, upon a motion being made and passed by a majority of Board members, may grant an additional amount of time not to exceed 5 additional minutes.
- e. Should a number of persons wish to address the Board on the same agenda item, or should the comments become repetitious, the President of the Board may shorten the time for comments in order that all persons wishing to address the Board may be heard and still allow the Board to proceed to conduct its business.
- f. Special rules related to requests for specific action by Board:
 1. any person or delegation (with one person being the spokesperson for the delegation) making a specific request to the Board which would require formal action by the Board are requested to present their request in writing (what is requested and why, and signed by the person making the request) to the Superintendent at least four calendar days before the Board meeting in order to allow for the item to be placed on the proposed agenda (as a “new business” item) which is posted at least twenty-four hours prior to the meeting.
 2. A person or spokesperson for a delegation which has submitted a specific request to the Board for Board action and the item is identified on the agenda will be granted 10 minutes to explain his/her request to the Board. Upon receiving a request for an extension of time from the speaker, the Board, upon a motion being made and passed by the majority of Board members present may grant an additional amount of time not to exceed 5 additional minutes.
 3. Requests to the Board for specific action and having been made after the proposed agenda has been posted may, in the sole discretion of the Board, be added to the agenda as a “new business item” for discussion purposes only, for discussion and possible action, or it may be deferred until the next regular meeting or possibly a special meeting.

The Board welcomes citizens of the district to attend its sessions so they may become better acquainted with the operation and programs of the schools. In order to assure that citizens who wish to appear before the Board may be heard, and at the same time, conduct its meetings properly and efficiently, the following procedures have been adopted:

1. The Board will allow individuals to speak to the Board. The Board does not promise an immediate response to the individual who is speaking but will take into consideration what the individual has said.
2. Persons, who wish to speak about an item that is 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 5 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. Unless an extension of time is granted, a speaker will be limited to five minutes.

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.

Adopted Date: December 12, 2016

FILE: B-25 BOARD POLICY DEVELOPMENT

- A. **Policy Philosophy:** It is through development and adoption of development of policies and implementation and enforcement of those policies that there can be the efficient functioning of the school district. Written policies also serve as guides for discretionary actions of those to whom the Board delegates discretionary authority and as a source of information and guidance for all persons who are interested in, and affected by, the district schools. Policies of the Board shall be interpreted pursuant to state laws, regulations of the State Board of Education, and other applicable county, state and federal regulations.
- B. **Policy Development:** Policy development is one of the Board's chief functions. Proposals regarding school district policies and operations may originate at any of several sources: a parent, a student, a community resident, an employee, a member of the Board, the Superintendent, a consultant, or a civic group. A careful and orderly process will be used in examining such proposals prior to action upon them by the Board. Final action on policy proposals will be by the Board in accordance with this policy.
- C. **Policy Adoption, Amendment or Rescission:** Adoption of new policies, amending current policies or rescission of current policies is solely the responsibility of the Board. Policies will be adopted, amended or rescinded only by the affirmative vote of a majority of the members of the Board present after consideration of such action has been scheduled on the agenda of a regular or special meeting. The Board may defer adoption of a policy, amendment to a current policy or rescission of a current policy to a later date pending further study. 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.
- D. **Suspension of Policy:** Board policies may be suspended in case of emergency and only upon four board members voting to suspend one or more specifically identified policies. The motion to suspend a policy must include the reason(s) for the proposed action. To the extent possible under the circumstances and in compliance with SDCL 1-25 public notice of the proposed action shall be given. Nothing within this provision authorizes the Board to suspend a policy if the effect of the suspension of policy is contrary to law.
- E. **Absence of Board Policy:** 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 and efficient operation of the school district, the Superintendent may take action that is in harmony and consistent with existing Board policy. In each case in which the Superintendent takes such action, the Superintendent will present the matter to the Board for its review and consideration at its next meeting. Nothing within this provision, however, authorizes the Superintendent to take such action when the action involves a duty of the Board that by law cannot be delegated or contrary to law.
- F. **Policy Review:** The Board will review its policies on a continuing basis. Each policy shall be reviewed at least every three years, and the date of review and/or amendments for each policy or date of policy adoption shall be noted on the policy. The Superintendent and school board president shall have the responsibility for ensuring compliance with this provision. The Superintendent shall be responsible for advising the Board regarding policies that are out of date or for other reason appear to need revision.

Adopted Date: December 12, 2016

FILE: B-26 NEW BOARD MEMBER ORIENTATION

Goal: Roles and Responsibilities. The Board and Superintendent will set up an orientation for new Board members before the July meeting. This will include a review of the policy manual, the budgeting process, and projects and other information which would be helpful to a new Board member.

Immediately following the June election, the Superintendent will contact any newly-elected members of the Board and arrange for a meeting with her/him to do the following:

1. Tour the building of the school.
 - a. Discuss plans for maintenance, repair, and additions for the present year.
 - b. Discuss future plans for the buildings.
2. Present and discuss the Board Policy Book with special emphasis placed on Section B: School Board Governance and Operations.
3. Review the Budgeting Process with the Business Manager.
 - a. Revenues: Local, State, and Federal
 - b. Expenditures
 - c. Special Programs: Pre-School, Chapter I, Special Education
 - d. Other

Adopted Date: December 12, 2016

FILE: B-27 BOARD MEMBER DEVELOPMENT OPPORTUNITIES

Board members will be encouraged to participate in meetings and activities of area, state and national school boards associations, and of other educational groups, and to study and examine the materials received from these organizations.

Upon Board approval, travel and convention expenses will be provided to individual members within budgetary limitations to advance their development as school board members.

To help members develop understanding of the educational program, the Superintendent will request members of the professional staff to appear before the Board from time to time to present and discuss new developments in various areas of curriculum and instruction.

Adopted Date: December 12, 2016

FILE: B-28 BOARD MEMBER COMPENSATION AND EXPENSES

The Board will vote at the annual organizational meeting to set the stipend rate of compensation for Board members as stipend only for each meeting actually attended. Board members will receive a per diem travel and meal allowance as authorized by the Board.

Adopted Date: December 12, 2016

FILE: B-29 SCHOOL BOARD MEMBERSHIPS

The Board will maintain membership in the Associated School Board of South Dakota and in other state, regional and national educational organizations as may be authorized by the Board, for the benefits that can be derived for the district. These materials and other benefits of institutional memberships will be distributed and used to the best advantage of the district.

Adopted Date: December 12, 2016

FILE: B-30 EVALUATION OF SCHOOL BOARD OPERATIONAL PROCEDURES

The Board will review its performance annually to ensure its proper discharge of responsibilities to the community. Evaluation will be based on a positive approach, which will indicate the strengths of the Board and the areas of needed improvement. The evaluation should meet local needs and provide for objective examination. The evaluation will be held at a scheduled time and place in accordance with SDCL 1-25 open meetings laws) and all Board members must be present at the time of the evaluation. The Board will develop both short-and long-range priorities to ensure continued proficiency in its areas of excellence, strengthening of adequate or weak areas and elimination of those areas no longer applicable to its performance.

Adopted Date: December 12, 2016

SECTION C: GENERAL SCHOOL ADMINISTRATION**FILE: C-1 ADMINISTRATION GOAL**

The purpose of school administration is to help create and foster an environment in which pupils and functions will be appraised in terms of the contributions that they make to better instruction and to higher student motivation and achievement.

The Board will rely on its chief executive officer, the Superintendent of schools, to provide the professional administrative leadership that such a goal demands.

The design of the administrative organization will be such that all schools are part of a single system subject to the policies set forth by the Board and implemented through a single chief administrator, the Superintendent. Within district policies and regulations, principals will be responsible and accountable for the administration of their respective schools.

Major goals of administration in the district will be:

1. To manage the district's various units and programs effectively.
2. To provide professional advice and counsel to the Board and to any advisory groups established by Board action.
3. To implement the management function through a team management approach so as to assure the best and most effective learning programs through achieving such sub-goals as
 - (a) Providing leadership in keeping abreast of current educational developments
 - (b) Arranging for the staff development necessary to the establishment and operation of learning programs that better meet more learner needs
 - (c) Coordinating cooperative efforts at improvement of learning programs, facilities, equipment, and materials
 - (d) Providing access to the decision making process for the ideas of staff, students, parents and others.

Adopted Date: April 10, 2017

FILE: C-2 JOB DESCRIPTION OF THE SUPERINTENDENT/CHIEF EXECUTIVE OFFICER (CEO)

TITLE: Superintendent

QUALIFICATIONS: PhD preferred, Masters Degree acceptable.

SD Teaching Certificate with proper Administrative Endorsements

SUPERVISOR/REPORT TO: Board of Education

DUTIES AND RESPONSIBILITIES:

1. The superintendent is the executive officer of the board of education and shall be responsible to the board for the execution of its policies and observances of its rules.
2. Shall attend all board meetings, except at the request of the board when consideration is given to his/her own employment or other issues as identified by the board.
3. Shall be responsible for developing a comprehensive program of education for the McLaughlin District working with principals and other staff.
4. Shall develop a school philosophy with staff which shall include emphasis on character education, American ideals and institutions, vocational as well as academic offerings, and fundamentals in the learning process – all integrated with generally approved and accepted educational practices and procedures.
5. Shall be allowed attendance at one national convention per year, or similar in scope, shall be authorized through inclusion in budget expenditures to include NIISA, NAFIS, SDASD). Such plans for attendance must be confirmed by the board. Travel allowances for in-state meetings shall be determined by state rates. Out of state travel shall be actual expenses unless stipulated otherwise by the board of education.
6. Shall notify the president of the board in advance of the need to be out of town, if the stay is for a period of more than two days.
7. Shall make recommendations for all appointments, promotions and dismissals, including administrative, certified and classified personnel, for consideration by the board.
8. Shall recommend for the board's consideration, changes in the salary and wage schedules for regular and substitute employees, as well as changes in work schedule.
9. Shall study and recommend to the board attendance areas for the schools.
10. Shall make recommendations to the board, relative to purchasing equipment and supplies, building alterations, and any other such matters that may be vital in the successful operation of the school.
11. Shall maintain complete records and reports as may be required by supervisory agencies.
12. Shall report to the board on the qualifications and efficiency of any and all employees as may be requested by the board.
13. Shall communicate all directories of the board affecting employees, pupils and parents.
14. Shall compile reports on any and all phases of the educational program as desired by the board.
15. Shall with the aid of the principal and business manager apply for any State or Federal funds available to the District and approved by the board.
16. Shall be responsible for all purchases made by the district insuring that all purchases are made within the limits of the law.

17. Shall recommend dismissal of a teacher only after careful investigation and with recommendation from Elementary or Secondary Principals. It should be made with reliable evidence of a teacher's unworthiness or inefficiency as prescribed in the negotiated agreement.
18. Shall keep abreast of current educational trends by attendance at periodical workshops and or summer school attendance. Such attendance must be confirmed by the board.
19. Shall attend professional and other meetings, conferences, or conventions within the state, considered as an obligation as well as a necessity on the part of the superintendent in his/her administrative capacity. Provision for expenses for such attendance shall be included in the budget.
20. Shall maintain a record of inventory of school equipment.
21. Shall survey all buildings annually and make recommendations to the Board for summer maintenance.
22. Shall appoint one custodian to be in general charge of summer maintenance and shall present to all custodians a report of all work to be done during the summer in their building.
23. Shall arrange office hours as may be necessary for the successful administration of the schools and the convenience of the public per the contracted agreement.
24. Shall close school due to inclement weather conditions when, in own judgment, it is deemed advisable for welfare of the students.
25. Shall maintain a school calendar and all activities scheduled from own calendar in order to coordinate the activities of the various groups and to eliminate as many conflicts as possible.
26. Proficient in Microsoft Office and use up-to-date technology to support instruction; including promethean board use and other electronic devices for assessment and content.
27. Duties as assigned.

Adopted Date: April 10, 2017

FILE: C-3 EVALUATION OF THE SUPERINTENDENT/CHIEF EXECUTIVE OFFICER (CEO)

Evaluation of a superintendent's performance is one of the school board's most important responsibilities. At the most basic level, an evaluation helps the board make informed employment decisions. Done correctly, an evaluation is a useful governance tool that helps drive school improvement. In fact, a high quality evaluation process helps develop positive board-superintendent relationships, clarifies leadership roles, creates common understanding, and provides a mechanism for public accountability. To achieve the most from your district's evaluation process, the school board and superintendent need to arrive at a mutual understanding of expected performance and acceptable evidence that demonstrates that performance. It is also important to keep in mind that evaluations are most effective when they are designed and used for communicating future expectations, not simply for reviewing past performance.

The Superintendent/Chief Executive Officer (CEO) will be evaluated following the ASBSD Standards-based Superintendent Evaluation following the evaluation timeline. The superintendent's performance will be reviewed annually by the Board. Through this process the Board will strive to accomplish the following:

1. Clarify for the Superintendent his role in the school district as seen by the Board
2. Clarify for all Board members the role of the Superintendent in the light of his job description and the immediate priorities among his responsibilities as agreed upon by the Board and the Superintendent.
3. Develop harmonious working relationships between Board and the Superintendent.
4. Provide administrative leadership of excellence for the school district.

The criteria for the Superintendent Evaluation as established in Board Policy shall be used for evaluating the performance of the Superintendent. Each school board member shall individually evaluate the Superintendent and the individual school board member evaluations shall be averaged for an overall evaluation rating. Each board member will provide their individual evaluation to the Board President for him/her to compile the evaluation rating. Board consensus of the Superintendent's abilities and performance will be put in writing, made available to him, and discussed with him in an executive session. The evaluation will be used to improve the quality of administration and to determine future employment.

Timeline for Superintendent Evaluation**Timeline****Summer/Early Fall****Action**

Board and superintendent review superintendent job description and evaluation process, forms, indicators, timelines, and possible supporting documents, information and data to be used to measure performance.

Board President and superintendent review evaluation process and forms with the new board members following the election.

Quarterly/Early Winter

Superintendent makes interim progress reports to the board on standards.

Mid-Winter

Superintendent may complete a self-assessment with supporting documents to be provided to the board.

Individual board members complete evaluation forms and turn into the Board President prior to the board's evaluation session.

Board members meet to discuss their evaluations and develop the board's official written document(s) that will be shared with the superintendent following the meeting.

The board's official evaluation document(s) is shared, clarified, and discussed with the superintendent at a board meeting during executive session. Changes to the evaluation may be made as a result of the discussions.

A copy of the final written evaluation form is placed in the superintendent's personnel file.

Spring/Summer

Superintendent makes interim progress reports to the board on standards.

Summer/Early Fall

Return to the beginning of the cycle.

McLaughlin School District #15-2

Superintendent Evaluation

Name:		Job/Position: Superintendent											
Observer Name:			Date:			Building: Business Office							
Mark in the appropriate box:			1 Poor		2 Needs Improvement			3 Satisfactory		4 Proficient		5 Exemplary	
Performance Area								1	2	3	4	5	Supporting Evidence and Comments
Standard 1: Shared Vision													
Indicators	Develops and implements district-wide vision, mission and goals.												
	Creates and implements plans to achieve goals.												
	Promotes continuous and sustainable improvement.												
	Monitors and evaluates progress and revises plans.												
Standard 2: Culture of Learning													
Indicators	Nurtures and sustains a culture of collaboration, trust, learning, and high expectations.												
	Monitors and evaluates a rigorous and coherent district-wide curricular program.												
	Uses data to monitor the assessment and accountability systems to assure student progress.												
	Develops the instructional and leadership capacity of staff through quality professional development.												
	Promotes the use of the most effective and appropriate technologies to support teaching and learning.												
Standard 3: Leadership and Management													
Indicators	Effectively manages district budget, facilities and operations.												
	Obtains, allocates, aligns, and efficiently utilizes human, fiscal, and technological resources.												
	Promotes and protects the welfare and safety of students and staff.												
	Develops leadership capacity throughout the district's staff.												
	Ensures teacher and organizational time is focused to support quality instruction and student learning.												
Standard 4: Family and Community													
Indicators	Collects and analyzes data and information pertinent to the educational environment.												
	Promotes understanding, appreciation, and uses of the community's various resources.												
	Builds and sustains positive relationships with families and caregivers.												
	Builds and sustains productive relationships with community partners.												
Standard 5: Ethics													
Indicators	Conducts oneself in an ethical, fair, trustworthy and professional manner.												
	Establishes practices to promote personal, physical and emotional health.												
	Demonstrates respect for diversity in students, staff and programs.												
	Considers and evaluates the potential moral and legal consequences of decision-making.												
Standard 6: Societal Context													
Indicators	Advocates for children, families and caregivers.												
	Serves as an advocate to community and legislature for issues beneficial to improved teaching and learning.												
	Provides leadership for defining superintendent and board roles, mutual expectations and formulating appropriate district policies.												
	Knows and supports the district school improvement plan and accurately reports progress on goals.												

The signature of the employee indicates that they have received a copy of this report and that the report has been read and discussed. It *does not* necessarily indicate agreement with the report or any included comments or recommendations.

Staff Signature:

Date:

Observer Signature:

Date:

Adopted Date: April 10, 2017

FILE: C-4 PRINCIPALS**Qualifications**

1. Have a master's degree from an accredited institution with a major in school administration. The principal is required to hold the administrative certificate issued by the South Dakota Department of Education.
2. Principals shall have the general qualifications of a teacher in the state and have a bachelor's degree in the field of elementary education and a master's degree at the educational level for which he or she is serving as principal.

Duties of Principals

1. Shall be responsible to the Superintendent of schools for all organization, administration, and supervision within his building.
2. Shall keep the Superintendent completely and continuously informed as to the condition of the school and its activities therein.
3. Shall, through democratic administration and high professional standards, work cooperatively with the teaching staff for the best interest of the children.
4. Shall be responsible for assisting the development of the curriculum and in planning and adapting the course of study to the needs and interest of the children, subject to the approval of the Superintendent and the Board.
5. Shall be responsible for the health and safety of the children and the teachers.
6. Shall be responsible for maintaining good public relations with the community and for utilizing fully the community resources to enrich the learning experience.
7. Shall be responsible for the requisitioning of supplies, textbooks, and all materials necessary to the operation of the school through the office of the Superintendent.
8. Shall be responsible for the classification, promotion or retention of students within the building according to the adopted Board policy on promotion or retention.
9. Shall be responsible for the following:
 - a. Fire drills
 - b. School enterprises and activities
 - c. Staff meetings
 - d. School exhibits
 - e. Organizing playgrounds
 - f. Noon hours
 - g. Lunchroom
10. Shall oversee the attendance, conduct, and health of the pupils while in school.
11. Shall perform such other duties as may be assigned by the Superintendent of school.
12. Shall be directly responsible to the Superintendent.
13. Shall be responsible for the administration of the building or departments, as the case may be, and enforce the rules of the Board, and shall have the authority to call upon all certificated and non-certificated personnel to this end.
14. Shall meet with the Superintendent for conferences as often as the Superintendent may require; keep accurate and complete records, delegate authority, participate in curriculum studies, and be tactful in relations with parents and the public.
15. Shall establish rules for providing proper order in the building as may be agreed upon in consultation with the Superintendent.
16. Shall be fully responsible for decisions made in his respective building and department.

17. It shall be the duty of the principal to be present in the building at least thirty minutes prior to the beginning of the first scheduled class period and at least thirty minutes after the least regular scheduled class period.
18. Does not have the authority to dismiss school before the regular hour without the approval of the Superintendent.
19. Shall consider it an important phase of his/her work to promote health and safety education and to conform to regulations of the state fire marshal. The principal, along with the Superintendent, will conduct fire drills in accordance with state laws.
20. Shall have the authority to excuse any pupil on written request by parents, if he deems it advisable.
21. Removal of school furniture or equipment from the building for private use should not be done except with the approval of the Superintendent and the Board.
22. Shall examine all class records and registers, given such directions will insure their being kept in the proper place. All class records should be kept in the Superintendent's office at the close of the term. Records of teachers must be filed with the Superintendent as requested.
23. Shall not permit any of the time of teachers or that of the school to be occupied while at the school by agents or solicitors.
24. Shall be responsible for the supervision of the teachers under his/her jurisdiction and shall submit all information to the Superintendent relative to achievement, performance, and fitness for position held. Observation file is confidential among teachers, principals, and the Superintendent.
25. The high school principal will submit eligibility list to the SDHSAA.
26. Shall be responsible for student discipline.
27. Shall hold the number of entertainments, parties, and so forth, to a minimum.
28. Subject to the approval of the Superintendent, shall designate one person in each building who is employed in the building to act in his/her behalf when the principal, through business or illness, must be absent from the school.
29. Shall attend local, state, and national professional meetings at the request of the Superintendent and/or the Board.
30. Has the responsibility for student activities.
31. The middle school/high school principal shall be the acting Chief Executive Officer (CEO) during a temporary absence of the Superintendent, unless the Board specifically authorizes through formal board action a different person to act as temporary CEO during the absence of the Superintendent.

Adopted Date: November 26, 2012

FILE: C-5 EVALUATION OF PRINCIPALS

Principals shall be evaluated once each semester by the Superintendent during the first three years of employment. Thereafter, the Principal's performance will be reviewed annually.

Adopted Date: November 26, 2012

SECTION D: FISCAL MANAGEMENT**FILE: D-1 ANNUAL BUDGET**

Under law, the district is required to adopt an annual budget setting forth revenues and expenditures. 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 in line with state policy and will be developed and refined in accordance with these same requirements. The school district budget will be prepared by the Business Manager and Superintendent and be presented to the Board for review. The Business Manager will establish a time line for the preparation of the budget.

Adopted Date: April 10, 2017

FILE: D-2 BUDGET DEADLINES AND SCHEDULES

Preparation of the annual budget will be scheduled in stages throughout the school year with attention to certain deadlines established by law and Board policy. The following will serve as a guideline in the scheduling of the budget:

- January – Budget preparation begins.
- March – Deadline for employee requisitions for following school year
- Every two year audit is requested.
- Review of proposed budget.
- May – The proposed amended 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.
- July 31 – Deadline for budget hearing
- September 30 – Deadline for Board approval of budget for the anticipated obligations of each fund (except Trust and Agency) for the fiscal year. By resolution the School Board will adopt a levy in dollars or dollars per thousand of taxable valuation sufficient to meet the school budget for each fund. September 30 Deadline for reporting to the county auditor the levy in dollars or dollars per thousand of taxable valuation adopted by the Board, on the forms prescribed by the county auditor.
- 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 minutes within thirty days after the final adoption of the budget.

Adopted Date: April 10, 2017

LEGAL REFS: SDCL 13-11-2; 13-11-2.1; 13-11-3; 13-11-3.1

FILE: D-3 BUDGET PLANNING

Budget planning for the district will be an integral part of program planning so that the annual operating budget may effectively express and implement all programs and activities of the school system.

The Superintendent and Business Manager will have overall responsibility for budget preparation, including the construction of, and adherence to, a budget calendar. The Business Manager will assist the Superintendent in the preparation of the budget and adherence to the budget.

Principals and department heads will develop and submit budget requests for their particular schools after seeking the advice and suggestions of staff members. The budget request will reflect the Principal's judgment as to the most effective way to use resources in achieving progress toward educational objectives of the school.

The Board will give careful consideration to budget requests, review allocations for financial responsibility and consistency with educational priorities of the school system.

Adopted Date: April 10, 2017

FILE: D-4 BUDGET ADOPTION

Adoption of the budget is solely the responsibility of the Board. 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.

Adopted Date: April 10, 2017

FILE: D-5 BUDGET CONTROL

The district budget serves as the control to direct and limit expenditures. Overall responsibility for this control rests with Superintendent, who will establish the procedures for budget control and reporting throughout the district. 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.

Adopted Date: April 10, 2017

FILE: D-6 TRANSFER OF FUNDS

Transfer of surplus funds among the major classifications of the budget or within a major classification of the budget will be subject to Board approval. In accordance with law, funds may not be transferred from the Capital Outlay Fund or the Special Education Fund. However, any unused portion of money that has been transferred into the Special Education Fund may be transferred from the Special Education Fund within the current fiscal year to the fund from which it originated. Contingency funds may be transferred to any budget category, except Capital Outlay, with Board approval. The district shall not transfer any funds, exclusive of federal funds, from the General Fund to the Capital Outlay Fund, Bond Redemption Fund or the Capital Projects Fund all or any part of any school district fund may be loaned to any other school district fund for a term not to exceed twenty-four months.

Adopted Date: April 10, 2017

FILE: D-7 REVENUE FROM INVESTMENTS

School district funds not in use may be invested in savings accounts, time deposits or in bonds or securities issued and guaranteed by the United States Government. Interest earned on such investments will be credited to the fund determined at the annual reorganization meeting in July of each year. The Board will approve the investment of all funds at the July meeting and this approval will be filed and recorded by the Business Manager.

Adopted Date: April 10, 2017

FILE: D-8 AUTHORIZED SIGNATURES

The Business Manager will draw and sign all checks or warrants for the payment of verified vouchers approved for payment by the Board. Every check or warrant will be countersigned by the president or vice-president of the Board. 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 or voucher duly verified. The invoice and verification will be retained by the Business Manager and placed on file in the Business Manager's office.

Adopted Date: April 10, 2017

FILE: D-9 FINANCIAL REPORTS AND STATEMENTS

It will be the responsibility of the Business Manager to prepare monthly financial reports for the board's review. Reports will include budget, trust or agency funds, and special accounts. 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.

Adopted Date: April 10, 2017

FILE: D-10 INVENTORIES

The school district shall annually cause an inventory of personal property, other than money, credits, accounts, securities, or real property that is movable, has an expected useful life exceeding one year, and has an initial purchase cost in excess of \$5,000, to be made and placed on file with the Business Manager by July 10. Personal property shall be included in the inventory as required by SDCL 5-24 and the rules issued by the commissioner of the Bureau of Administration.

General fixed assets are divided into five main classes: land, buildings, improvements other than buildings, equipment, and construction work in progress. Fixed assets shall be marked by a permanent method of identification. Personnel designated by the Superintendent shall take periodic inventories.

Adopted Date: April 10, 2017

LEGAL REFS: SDCL 5-24-1, 5-24-3, 13-16-6. ARSD 10:02:01:01

FILE: D-11 AUDITS

For any necessary reason an audit of the books of any school district may be called at any time for the Board or the electors of the district by petition signed by 20 percent of the resident taxpayers of the district as shown by the assessment roles of the preceding year, or the Auditor General.

The school district shall have financial and compliance audits performed every year. The audits may be done by the Department of Legislative Audit or by a private firm authorized by law to audit financial records of school districts. Trust and agency funds shall be audited as part of the regular audit of the school district.

Adopted Date: April 10, 2017

LEGAL REFS: SDCL 4-11-5; 4-11-7.1; 4-11-7.2; 4-11-9; 4-11-12 through 13-16-28

FILE: D-12 PURCHASING

The function of purchasing is to serve the educational program by providing the necessary supplies, equipment and services. The Board declares its intention to purchase supplies and equipment competitively as required by applicable laws and without prejudice and to seek maximum educational value for every dollar expended. The Board will abide by the letter and the spirit of all laws and regulations relating to purchases by the school district and the control of its finances and property. The Board must approve all contracts in order to be binding on the school district.

Within the framework of applicable laws and regulations, purchases and use of materials and services will be made in accordance with good business practices with the primary purpose of serving the instructional program.

The Business Manager will serve as the purchasing agent. He/She will develop and administer the purchasing program for the schools with the assistance of the Superintendent, 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 person and signed by the Business Manager, except as may be required for emergency purchases and those made with petty cash funds.

In the acquisition of or additions to real property, plant, or equipment, any expenditure of one thousand dollars or more shall be paid from the Capital Outlay Fund as required by SDCL 13-16-6. The one thousand dollar limitation shall apply to the total of each asset type on an invoice. Equipment purchases per invoice of less than \$1,000 may be acquired from either the General or Capital Outlay Fund.

Every contract made or check or registered warrant issued in excess of the issuing capacity of the district as restricted in this title is void and is not an obligation of the district. A school board member who makes, or participates in making or authorizes the making of a void contract or the issuance of a void check or registered warrant is individually liable for it. Each school board member present when a void contract or warrant is made or authorized is party to the making or authorizing of the void contract or warrant unless he dissents from the action and causes his dissent to be entered as part of the official minutes of the school district.

Adopted Date: April 10, 2017

LEGAL REFS: SDCL 13-16-24; 13-20-1; 13-20-3

FILE: D-13 PURCHASING PROCEDURES

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 or business office for processing by the business office. The business office will maintain a central record system for the purpose of combining orders, avoiding duplication of purchases, taking full advantage of lowered prices for bulk purchasing, to follow up on delayed orders of delivery and to reconcile deliveries to orders before payment is made. This delivery control will be applied to all purchases, regardless of point of delivery. Principals and department heads will examine carefully all requisitions submitted by teachers, custodians and other employees for supplies, equipment and services. They will be responsible for verifying that items requested are needed and funds are available through the budget before signing the requisition and sending it to the Business Manager. All orders must include the name and address of the supplier as well as the purchase price. If the exact price is unavailable, an estimate of the cost should be given. If any person orders materials other than through the superintendent's office or business office, that person will be responsible for their payment.

Adopted Date: April 10, 2017

FILE: D-14 PAYMENT PROCEDURES

All claims for payment from district funds will be processed by the Business Manager. 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. Each registered warrant will be signed by the Board president 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 function amount allocated in the budget for all items.

The principals and department heads will be responsible for observing budget allocations in their respective schools. Each will also serve as custodian of the activity accounts in his respective school and will be responsible for their proper handling and expenditures.

Adopted Date: April 10, 2017

FILE: D-15 SALARY DEDUCTIONS

Deductions will be made from the paychecks of all employees for federal income tax, for South Dakota Retirement System (SDRS), if eligible, and for OASI (Social Security). In addition, the Board authorizes the following types of deductions from employee salaries, provided the employee has filed the proper permission or payroll withholding:

1. Employee contributions to the health and life insurance programs and any other similar programs that are approved by the Board.
2. Deductions for tax-sheltered annuity programs.

Adopted Date: April 10, 2017

LEGAL REFS: SDCL 3-10-1 et seq.; 3-11-1 et seq.; 3-12-46 et seq.

FILE: D-16 EXPENSE REIMBURSEMENTS

Personnel and officials who incur expenses in carrying out their authorized duties will be reimbursed by the district upon submission of a properly filled out and approved voucher accompanied by such supporting receipts as required by the Business Manager. Reimbursement will be in accordance with Board policy. When official travel by personally owned vehicle has been authorized, mileage payment will be made at the rate currently approved by the Board.

Adopted Date: April 10, 2017

FILE: D-17 TRAVEL POLICY

The following travel policy will apply to employees and board members of the McLaughlin School District for all approved travel.

1. Mileage allowance: When traveling by private automobile, a mileage allowance shall be paid at a per mile rate established by the Board of Education at the annual reorganization meeting in July of each year. Payment for travel with a privately owned automobile will only be allowable if a school vehicle is not available or if prior approval is received. Mileage will be determined by the school district's mileage chart for in state and surrounding towns. The use of School credit cards will not be authorized for gas purchases with a privately owned automobile.
2. Travel Allowances: A receipt must be presented for all meal and lodging expenses. If possible, room costs will be billed directly to the school. If per diem is not received in advance, employees shall be reimbursed for meals and lodging when traveling overnight on official school business at the rates established by the Board of Education at the annual reorganization meeting held in July of each year.
3. Employees shall receive per diem for meals that are associated with an overnight stay when they are conducting official school business between the times stipulated below:
 - a. Breakfast 5:31 A.M. – 7:59 A.M.
 - b. Lunch 11:31 A.M. – 12:59 P.M.
 - c. Dinner 5:31 P.M. – 7:59 P.M.
 - d. Meals not associated with overnight travel are deemed to be taxable income by the Internal Revenue Service. These meals shall be the responsibility of the employee and shall not be reimbursed by the school district.
 - e. If a continental breakfast is served at the hotel at no expense to the employee, a breakfast per diem will not be provided. If lunch or dinner is provided during training, workshops, seminars, etc., a lunch and dinner per diem will not be provided. This will be determined prior to the issue of a per diem payment
4. If per diem is not received, prior to reimbursement, the employee or school board member shall complete a school voucher giving mileage and showing receipts for motel rooms, and meals.
5. Stipends are subject to payroll taxes and will require the employees to complete a school voucher indicating dates and times of travel, workshop attendance, etc. and will be paid during a regular payroll cycle. They are not to be provided as part of a per diem.

Adopted Date: April 10, 2017

**FILE: D-18 TRAVEL POLICY/EXTRA CURRICULAR ACTIVITIES SPONSORS
(Head Coaches, Music Directors, Fine Arts Directors) End-of-Year Events**

The District will provide the following benefits to head coaches, high school music directors, and high school fine arts directors to any South Dakota High School Activities Association sponsored events for which the District has not qualified, provided the employee has received prior approval from the Superintendent to attend the event.

1. Mileage at the current district rate.
2. Meals at the current district rate.
3. Lodging at the current district rate.
4. The district shall provide a classroom substitute.
5. Time away from the classroom shall be provided as professional leave.

The district employee must request the specific event, including time, travel, and request for substitute on their annual requisition form. In addition, the district employee must request professional leave to his/her building level principal at least two weeks prior to the event or activity taking place. The superintendent shall be responsible for final approval/denial of all requests. All requests shall be made to the classification of competition in which McLaughlin High School is currently assigned. The district employee shall attend any coaches meetings or SDHSAA sponsored meeting which occur during the state-sponsored event.

Adopted Date: November 26, 2012

FILE: D-19 TRAVEL POLICY/EXTRA CURRICULAR ACTIVITIES SPONSORS
(Coaches, Music Directors, Fine Arts Directors) Clinic, Workshops, In-services

The District will provide the following benefits to all coaches of high school sports, high school music directors, and high school fine arts directors who attend one South Dakota High School Activities Association sponsored clinic, workshop, or in-service during the course of one fiscal year, provided the employee has received prior approval from the Superintendent to attend the event.

1. Mileage at the current district rate.
2. Meals at the current district rate.
3. Lodging at the current district rate.
4. Registration fees, not to exceed \$100.
5. The district shall provide a classroom substitute.
6. Time away from the classroom shall be provided as professional leave.

The district employee must request the specific event, including time, travel and request for a substitute on their annual requisition form. In addition, the district employee must request professional leave at least two weeks prior to the event or activity taking place. The building level principal and Superintendent shall be responsible for final approval/denial of all requests.

Any request made for an out of state or national conference/convention shall be submitted to the district employee's building principal who in turn shall make a recommendation to the Superintendent. If approval is given to attend any out-of-state or national conference/convention, a report will be given to the McLaughlin School Board after returning at the request of the board.

Adopted Date: November 26, 2012

FILE: D-20 DISPOSAL OF SURPLUS SCHOOL PROPERTY

State laws authorize the school district to dispose school district property which the Board determines to be no longer necessary, useful or suitable for school purposes. State law also sets forth the procedures and requirements for disposal of surplus school property and the following provisions are based on current state law. Should, after the adoption of this policy, any state law be amended or repealed by the state legislature the amended statute shall supersede the corresponding provision in this policy, and should a statute be repealed the corresponding policy provision shall be null and void.

1. The Board of Education may sell, trade, destroy, or otherwise dispose of any land, structures, equipment, or other property which the Board has, by appropriate motion, determined is no longer necessary, useful, or suitable for the purpose for which it was acquired. No motion is required to sell, trade, destroy, or otherwise dispose of consumable supplies, printed text, or subscriptions.
2. After the Board has made a determination of surplus property the Board shall appoint three real property owners of the school district to appraise the value of such property. Such real property owners shall file a report of the appraisal with the Business Manager. The Board may employ a person or persons licensed by the state to do fee appraisals in lieu of the property owners conducting an appraisal pursuant to this section. Any improvements on land shall be appraised separately from the land. Equipment or supplies which are to be traded for other property, property which is to be destroyed, property which is to be transferred to another political subdivision, property being sold which was created as a result of an educational program in the school and property which is to be sold at public auction need not be appraised.
3. Any surplus property appraised at five hundred dollars or less may be sold by the Board at a private or public sale without notice. The Board shall give notice of the sale of all other surplus property, including property created as a result of an educational program in the school, by publishing a notice of the sale at least twice, with the first publication not less than ten days prior to the date of the sale. The first publication shall be in the school's official newspapers and the second publication may be in any legal newspaper of the state chosen by the Board. The notice shall describe the property to be sold and the time when bids will be opened. The Board may open the bids or may designate an official and a witness to open all bids prior to the school board meeting and shall state such in the notice of sale. Property to be transferred to another political subdivision need not be advertised.
4. Sealed bids received on the surplus property shall be filed with the Business Manager and shall be opened at a school board meeting at the time specified in the notice, or the Board may designate an official of the political subdivision and a witness to open all bids before the meeting of the governing board as specified in the notice. The Board may reject any and all bids. However, if the Board accepts a bid, it must be the bid of the highest bidder. If no bids are received, the Board may have the surplus property reappraised or may within twelve months thereafter, sell the property at private sale for not less than ninety percent of the appraised value without further publication or appraisal. If the property to be sold was created as a result of an educational program in a school, the school board may accept the highest bid or it may reject all bids and may sell the property at private sale without further publication.

5. In lieu of receiving sealed bids as required by this chapter, the school district may sell real property at public auction or by listing the property with one or more licensed real estate brokers. The Board may accept any offer for purchase of real property provided the offer exceeds ninety percent of the appraised value of the real property. If the Board sells real property by public auction or through a real estate broker, the governing body shall give notice of the sale of the real property by law.
6. In lieu of sealed bids, the Board may sell surplus property at auction. The Board shall advertise such auction by publication as required by law. Surplus property may be sold to the highest bidder at such auction.
7. No school board member who has been elected or appointed, school administrator, or real property owner acting as an appraiser, may purchase the surplus property except at public auction.
8. All revenue accruing from the sale of surplus property shall be paid and credited, at the discretion of the Board, to the general fund, to the fund in which such property was inventoried, or to the capital outlay fund.
9. The school district may convey and transfer any real property which is held or owned by it, the title to which has been obtained and which is not held for public use or which is about to be abandoned for public purposes, to another political subdivision or nonprofit corporation for public purposes and accommodation without offering the property for sale and without requiring said political subdivision or nonprofit corporation to pay therefore. If the Board deems it advisable and to the best interest of the public to convey any such property to another political subdivision or nonprofit corporation pursuant to this provision the Board shall by resolution direct that said property be so conveyed and transferred and a deed of conveyance shall be made to the political subdivision or nonprofit corporation, which deed vests in the grantee all the right, title and interest of the transferor in and to the real property so conveyed.
10. The school district may by resolution exchange any land belonging to it with a private owner. Before entering into a contract for the exchange of real property, the Board shall cause the real property to be appraised by a board of three disinterested appraisers who are real property owners within the school district or by one or more persons licensed by the state to do fee appraisals. Any exchange shall be made upon such terms, conditions, and in such manner as may be determined and agreed upon by the parties, following public notice and hearing. The notice of the proposed exchange and hearing shall be published once at least ten days before the hearing. The notice shall contain a description of the lands to be exchanged.
11. The school district may lease or sell or give and convey any personal property, real property, or money of such entity or perform any work or render any services, to the state or any public corporation thereof, to be used by such grantee for an authorized public purpose. Such lease or sale or gift and conveyance, or the performance of such work, to be authorized, shall be made or done on the terms and in the manner provided by resolutions of the Board. However, no money may be transferred from any sinking or interest fund unless sufficient money is left therein to pay all interest which may accrue on and the principal of all outstanding bonds.

Adopted Date: April 10, 2017

LEGAL REFS: SDCL Ch. 6-13; SDCL 6-5-2; SDCL 6-5-5; SDCL 13-15-7; SDCL 13-24-4

FILE: D-21 INSURANCE MANAGEMENT

The Board has the responsibility to maintain an adequate and comprehensive insurance program to protect the property and equipment under its control and individuals discharging responsibilities for the school district. It will seek adequate appropriations for such coverage. The responsibility for overseeing the district's total insurance program will be delegated to the Superintendent and the Business Manager, with review and approval by the Board.

Adopted Date: April 10, 2017

FILE: D-22 INTERNAL CONTROL OF ACCOUNTING SYSTEM/RISK MANAGEMENT POLICY

The Administrators of the District are responsible for establishing and maintaining an internal control structure designed to provide management, taxpayers and all grantors, Federal or otherwise, with reasonable assurance that:

1. assets are safeguarded against loss from unauthorized use or disposition in accordance with State law;
2. transactions are executed in accordance with proper authorization and are recorded properly to permit the preparation of the financial statements in accordance with generally accepted accounting principles;
3. grant applications including, but not limited to, Local Educational Agency (LEA) Consolidated Grant Application for Title I, Part A (Title I), LEA Special Education Grant Application for Individuals with Disabilities Education Act, Title VII Indian Education Formula Grant Application, and Impact Aid Program Section 8003 Grant Application (Impact Aid), are properly researched, compiled, completed, submitted and executed in accordance with State and Federal law;

The Board recognizes that there are numerous inherent risk factors which must be considered when protecting public funds through the revenue and expenditure process. Lack of segregation of duties in the internal (District) control of the accounting process, which is due to limited number of personnel available in the Business office is a control deficiency, but because of compensating controls through the direct involvement of the Superintendent and the Board of Education, the Board does not deem the lack of segregation of duties to be a significant deficiency or material weakness related to government auditing standards.

Those organization risk factors which the Board recognizes include: changes in the operations, changes in personnel, competency of personnel, changes in systems/capability of current systems, level of supervision or oversight, changes in or effectiveness of policies and procedures, new mandates from public or third parties, level of internal audit/monitoring over the account, susceptibility of assets to misappropriation, opportunities available for misappropriation, misappropriation pressures present, questionable management style and characteristics, presence of political factors or pressures, pressure from outside influences, disregard of legal requirements, unrealistic financial targets or projections, threats of funding losses, difficulty in meeting debt covenants, recorded assets or liabilities do not exist as of a given date, recorded transactions are not recorded in the appropriate period, transactions are not summarized or recorded in correct amounts, recorded assets are owned by others or pledged where entity has no rights, assets or liabilities are valued on an inappropriate basis, revenues or expenses are measured inappropriately, assets and liabilities exist but are not recorded, valid transactions are not recorded, transactions are not recorded in the appropriate period, transactions are not summarized or recorded in correct amounts, assets or liabilities are valued on an inappropriate basis, accounts are not properly classified (such as current and non-current, restricted or unrestricted), accounts or transactions are recorded in an inappropriate fund or reporting unit, required information is not disclosed in the statements, disclosed events or transactions have not occurred or are in wrong amounts, disclosures are not understandable, undisclosed inconsistent application of accounting principles.

Internal Control practices and procedures performed by the District for Financial Close & Reporting, Expenditures, Revenues, Title I and Impact Aid are as follows:

Financial Close & Reporting

The Business Manager completes check reconciliations of all accounts against the bank statement on a monthly basis. Accruals related to any Accounts Receivable assets to be received within 60 days after the fiscal year closes are recorded in June. Any liabilities such as the accrued deferred payroll for teachers who receive their salaries over 12 months are recorded in June. Any wages earned in the current fiscal year but to be received after its close are recorded in June alongside any accrued deferred payroll.

In June, the annual Revenue and Expenditure reports are reviewed and aligned against Accounts Receivable and Outstanding Liabilities to determine the appropriate budget supplements and account transfers before a Fiscal Year End report is provided to the Board at the annual reorganization meeting. Any ongoing supplements to the budget will be reviewed and approved as necessary on a monthly basis to better monitor spending.

Expenditure

Business Office personnel will be responsible for mail pickup by 10:30 am; the Business Manager, Assistant Business Manager or Superintendent's Administrative Assistant. The mail will be sorted and distributed departmentally.

Invoices are distributed to the Assistant Business Manager and are marked and dated "Received." The Assistant Business Manager enters all invoices as they are received, marking and dating them as "Entered" and filing the hard copies alphabetically in an accordion folder. Credit card statements are entered into the accounting software separate from the current invoices for ease of use. Before any invoice is entered, it is confirmed for accuracy and receipt. Each invoice is matched against the original approved requisition, purchase order, order confirmation (if applicable) and packing slip (if applicable). The Assistant Business Manager works closely with the Business Manager in managing the chart of accounts for proper expenditure coding for each invoice received and entered.

Each Wednesday prior to the monthly Board meeting held on the second Monday of each month, an Invoice listing report is printed from the accounting software for the current invoices and the credit card invoices to be paid. The Business Manager verifies the reports are accurate for coding, posting date, description, amounts and vendors. The report is provided in the Board packet for inspection by each Board member. Board members are encouraged to arrange to discuss any invoice inquiries prior to the Board meeting. If from the time of Board packet compilation until the Board meeting there are additional bills received, they are assessed for timeliness of payment. If they require immediate payment, they are entered into an additional but separate invoice batch and again checked for accuracy before an Invoice listing report is printed and provided to the Board prior to the Call to Order. The morning after the Board meeting, all approved invoices are posted and paid. The checks are printed by the Business Manager along with a Voucher and Warrant to be remitted to the vendor. The Business Manager signs all checks and notifies the Board

chairman or vice chairman that they are ready for counter-signature. If there are any vendors who receive a direct deposit, a "Vendor Direct Deposit Enrollment Form" is kept on file. An Accounts Payable Direct Deposit listing report is printed from the accounting software and shown along with its corresponding Voucher and Warrant to the counter-signer. The Business Manager arranges for all ACH transfers in accordance with law and instruction from the financial institution responsible for completing the transfer. The Assistant Business Manager then prepares all payments and remittance stubs for send out and files all source documents in a monthly Accounts Payable folder. The checks and vouchers are mailed as soon as they are completed. All mail is hand-delivered to the post office by any office personnel at the close of business every day.

An Imprest Fund is used to pay invoices or requests that require payment prior to Board approval. The Business Manager and the Assistant Business Manager maintain the Imprest Fund and consent to any vouchers issued from the Imprest Fund. They are the only authorized signers on this account. Any invoice requiring payment from the Imprest Fund must be accompanied by an approved requisition and purchase order. After it is determined that the payment is necessary, the check is written and distributed on a weekly basis on Thursdays. A \$10,000 balance is maintained in the Imprest Fund and reconciled monthly. A reimbursement listing is provided with the Invoice listing in the Board packets for monthly approval.

Revenue

Business Office personnel will be responsible for mail pickup by 10:30 am; the Business Manager, Assistant Business Manager or Superintendent's Administrative Assistant. The mail will be sorted and distributed departmentally.

Checks are distributed to the Business Manager. Checks are receipted daily and hand-delivered to the bank for deposit. If the Business Manager is unable to deposit immediately, all money or checks are locked in a fireproof file cabinet until they can be hand-delivered to the bank for deposit. Deposits are generally made as they are received. When cash boxes are prepared for an event, a tabulation sheet is enclosed that lists starting cash by denomination and instructions for totaling and reconciling cash ready for deposit. Every time cash exchanges hands, it is verified for accuracy. After each event, the advisor and/or club/event members count the money and follow the reconciliation instructions before entrusting to an event Administrator. The Administrator is responsible for transporting the cash box to the Business Office to be locked in a cabinet in the Business Manager's office. The cash boxes are recounted and prepared for deposit by the Assistant Business Manager immediately following the event during normal business hours. If there is an immaterial discrepancy (\$10 or less), the change is recorded and initialed on the tabulation sheet. If there is a considerable discrepancy (\$10+), a witness is solicited for the change to be recorded and both parties initial the tabulation sheet. The Business Manager completes a receipt and hand-delivers the deposit to the bank. The advisor is provided with a copy of the tabulation sheet of recounted cash, a school receipt and a deposit receipt.

All revenue is recorded by the Business Manager. When deposits are prepared, each check is endorsed "For Deposit Only McLaughlin School District 15-2" and each check is deposited

separately with a brief check description on the deposit slip. A pre-numbered cash receipt is prepared for each check. All deposits are prepared and hand-delivered usually as they are received. Deposit receipts are provided by the official depository staff receiving the deposit. Large revenues are typically received through Direct Deposit into the account listed with the System for Awards Management (SAM). These usually include County tax revenues, State Aid revenues and Federal Program reimbursements or Impact Aid. Payment vouchers are generally received by postal mail or email so a cash receipt can be prepared and reconciled against the bank statement. At the end of the month, the Business Manager enters all cash receipts into the accounting software. After entry, a cash receipt listing is printed from the software and verified for correct General Ledger coding and entry amounts. After all is verified for accuracy, the batch is posted to the General Ledger. Cash receipts and their respective listing are marked and dated "Posted" and are kept separate from any Manual Journal Entries for each month. The check reconciliation is completed after all Cash receipts and Manual Journal Entries have been recorded, entered, verified and posted. All cash accounts on the Balance Sheet are reconciled with the cash on hand, with the difference acknowledged and recorded as equal to the amount of outstanding checks. Outstanding checks are managed and if necessary, cleared with board approval on an annual basis in May.

Title I CFDA #84.010**ACTIVITIES ALLOWED OR UNALLOWED AND ALLOWABLE COSTS/COST PRINCIPLES -****Control Environment**

- Management sets reasonable budgets for Federal and non-Federal programs so that no incentive exists to miscode expenditures.
- Management enforces appropriate penalties for misappropriation or misuse of funds.
- Organization-wide cognizance of need for separate identification of allowable Federal costs.
- Management provides personnel approving and pre-auditing expenditures with a list of allowable and unallowable expenditures.

Risk Assessment

- Process for assessing risks resulting from changes to cost accounting systems.
- Key manager has a sufficient understanding of staff, processes, and controls to identify where unallowable activities or costs could be charged to a Federal program and not be detected.

Control Activities

- Accountability provided for charges and costs between Federal and non-Federal activities.
- Process in place for timely updating of procedures for changes in activities allowed and cost principles.
- Computations checked for accuracy.
- Supporting documentation compared to list of allowable and unallowable expenditures.
- Adjustments to unallowable costs made where appropriate and follow-up action taken to determine the cause.
- The department wishing to make a purchase must submit a requisition to their department supervisor (i.e. principal). If approved, an authorized agent (administrative assistants – 3 and the technology coordinator) prepares a purchase order from this approved requisition to be signed by the Business Manager before purchases can be made. When products or services are ordered, received and verified for completeness, each authorized agent submits the packing slips, purchase order and requisition for attachment to the invoice, thereby approving it for payment. When invoices come in, they are entered as payable and are included as part of an invoice listing that is included in the Board of Education packet for monthly meetings. The Business Manager prepares the bills for payment and enters the invoices in the system for payment. The invoice listing provided to Board members does not show a complete list of invoices, but rather lists the total amounts owed to each vendor in summary. The board approves expenditures based on this listing without seeing the invoices. Invoices are always made available for verification by Board members. Checks are then produced after the board approves expenditures, which are required to be signed by the Business Manager and Board President.

Information and Communication

- Reports, such as a comparison of budget to actual provided to appropriate management for review on a timely basis.
- Establishment of internal and external communication channels on activities and costs allowed.

- Training programs, both formal and informal, provide knowledge and skills necessary to determine activities and costs allowed.
- Interaction between management and staff regarding questionable costs.
- Grant agreements (including referenced program laws, regulations, handbooks, etc.) and cost principles circulars available to staff responsible for determining activities allowed and allowable costs under Federal awards.

Monitoring

- Management reviews supporting documentation of allowable cost information.
- Flow of information from Federal agency to appropriate management personnel.
- Comparisons made with budget and expectations of allowable costs.
- Analytic reviews (e.g., comparison of budget to actual or prior year to current year) and audits performed.
- Twice monthly, pre- and post- Board meeting budget meetings are held among all department heads to verify budget versus actual expenditures and to identify any miscoding errors that require review and correction.

CASH MANAGEMENT -

Control Environment

- Appropriate assignment of responsibility for approval of cash draw downs. The Business Manager performs all draw downs based on expenditures incurred which have been verified by the District expenditure listing.
- Budgets for draw downs are consistent with realistic cash needs.

Risk Assessment

- Mechanisms exist to anticipate, identify, and react to routine events that affect cash needs.
- The Title I Program expenditures are requested after expenditures have been incurred.

Control Activities

- The Business Manager quarterly draws down funds; funds are direct deposited into the School's account as listed with SAM.
- Appropriate level of supervisory review of cash management activities. Business Manager monitors that requests are completed for expenditures incurred and records the revenues in the GL when the payments are received.

Information and Communication

- Variance reporting of expected versus actual cash disbursements of Federal awards and draw downs of Federal funds.

Monitoring

- Periodic independent evaluation (e.g. by internal audit, top management) of entity cash management, budget and actual results, repayment of excess interest earnings, and Federal draw down activities.
- Review of compliance with Treasury-State agreements.

MATCHING, LEVEL OF EFFORT, AND EARMARKING -**Control Environment**

- Commitment from management to meet matching, level of effort, and earmarking requirements (e.g., adequate budget resources to meet a specified matching requirement or maintain a required level of effort). The budget is included in the grant application and the projects that will be implemented with this money are also described in the grant application submitted to the SD Department of Education.
- Budgeting process addresses/provides adequate resources to meet matching, level of effort, or earmarking goals.
- The grant application also includes the total amount of local and state money that will be used to support better education costs.

Risk Assessment

- Identification of areas where estimated values will be used for matching, level of effort, or earmarking.
- Management has sufficient understanding of the accounting system to identify potential recording problems.

Control Activities

- Adequate review of monthly cost reports and adjusting entries.
- The Authorized Agent and Fiscal Agent collectively report the total budgeted funding that will be received from state and local sources for the fiscal year that will be applied for plus the actual funding that was provided to the McLaughlin School District for the preceding year.

Information and Communication

- Accounting system capable of:
 - Separately accounting for data used to support matching, level of effort, or earmarking amounts or limits or calculations.
 - Ensuring that expenditures or expenses, refunds, and cash receipts or revenues are properly classified and recorded only once as to their effect on matching, level of effort, or earmarking.

Monitoring

- Supervisory review of matching, level of effort, or earmarking activities performed to assess the accuracy and allowability of transactions and determinations, e.g., at the time reports on Federal awards are prepared.

PERIOD OF AVAILABILITY -**Control Environment**

- Management understands and is committed to complying with period of availability requirements.
- Entity's operations are such that it is unlikely there will be Federal funds remaining at the end of the period of availability.

Risk Assessment

- The budgetary process considers period of availability of Federal funds as to both obligation and disbursement.

Control Activities

- Review of disbursements by person knowledgeable of period of availability of funds.

Information and Communication

- Timely communication of period of availability requirements and expenditure deadlines to individuals responsible for program expenditure, including automated notifications of pending deadlines.

Monitoring

- Periodic review of expenditures before and after cut-off date to ensure compliance with period of availability requirements.

PROCUREMENT AND SUSPENSION AND DEBARMENT -**Control Environment**

- Existence and implementation of codes of conduct and other policies regarding acceptable practice, conflicts-of-interest, or expected standards of ethical and moral behavior for making procurements.
- Procurement manual that incorporated Federal requirements.
- Absence of pressure to meet unrealistic procurement performance targets.
- Management's prohibition against intervention or overriding established procurement controls.
- Board or governing body oversight required for high dollar, lengthy, or other sensitive procurement contracts.
- Adequate knowledge and experience of key procurement managers in light of responsibilities for procurements for Federal awards.
- Clear assignment of authority for issuing purchasing orders and contracting for goods and services.

Risk Assessment

- Procedures to identify risks arising from vendor inadequacy, e.g., quality of goods and services, delivery schedules, warranty assurances, user support.
- Procedures established to identify risks arising from conflicts-of-interest, e.g., kickbacks, related party transactions, bribery.
- Management understands the requirements for procurement and suspension and debarment, and, given the organization's staff, departments, and processes, has identified where noncompliance could likely occur.
- Conflict-of-interest statements are maintained for individuals with responsibility for procurement of goods or services.

Control Activities

- Job descriptions or other means of defining tasks that comprise particular procurement jobs.
- Contractor's performance with the terms, conditions, and specifications of the contract is monitored and documented.
- Establish segregation of duties between employees responsible for contracting and accounts payable and cash disbursing.
- Procurement actions appropriately documented in the procurement files.

- Supervisors review procurement and contracting decisions for compliance with Federal procurement policies.
- Procedures established to verify that vendors providing goods and services under the award have not been suspended or debarred by the Federal Government.

Information and Communication

- A system in place to assure that procurement documentation is retained for the time period required by the A-102 Common Rule, OMB Circular A-110, award agreements, contracts, and program regulations. Documentation includes:
 - The basis for contractor selection;
 - Justification for lack of competition when competitive bids or offers are not obtained; and
 - The basis for award cost or price.
- Employees' procurement duties and control responsibilities are effectively communicated.
- Procurement staff, otherwise called Authorized Agents, are provided a current List of Parties Excluded from Federal Procurement or Non-procurement Programs, issued by the General Services Administration, or have on-line access.
- Channels of communication are provided for people to report suspected procurement and contracting improprieties.

Monitoring

- Management periodically conducts independent reviews of procurements and contracting activities to determine whether policies and procedures are being followed as intended.

REPORTING -

Control Environment

- Persons preparing, reviewing, and approving the reports possess the required knowledge, skills, and abilities.
- Management's attitude toward reporting promotes accurate and fair presentation.
- Appropriate assignment of responsibility and delegation of authority for reporting decisions.

Risk Assessment

- Identification of underlying source data or analysis for performance or special reporting that may not be reliable.

Control Activities

- The general ledger or other reliable records are the basis for the reports.

Information and Communication

- An accounting or information system that provides for the reliable processing of financial and performance information for Federal awards.

Monitoring

- Communications from external parties corroborate information included in the reports for Federal awards.
- Periodic comparison of reports to supporting records.

SPECIAL TESTS AND PROVISIONS -**Control Environment**

- The Authorized Agent and Fiscal Agent possess a lot of knowledge about the Title I program and are aware of the poverty eligibility requirements.

Risk Assessment

- Identification of underlying source data or analysis for poverty eligibility requirements that may not be reliable.

Control Activities

- The Federal Program employee monitors compliance with the poverty eligibility requirements and reports the levels when he submits the annual consolidated application.

Information and Communication

- Grant agreement provides information needed to comply with the requirement. Staff is aware of the special test communicated in the grant and ensures that these are met.

Monitoring

- Annual audits by independent auditor.
- SD Department of Education receives periodic reports.

Identifying Schools and LEAs Needing Improvement – Adequate Yearly Progress -**Control Environment**

- The Authorized Agent and Fiscal Agent possess a lot of knowledge about the Title I program and are aware of the poverty eligibility requirements.

Risk Management

- Identification of underlying source data or analysis for special tests and provisions that may not be reliable.

Control Activities

- Written policy exists that establishes responsibility and provides the procedures for periodic monitoring, verification, and reporting of program progress and accomplishments over special tests and provisions.

Information and Communication

- Grant agreement provides information needed to comply with special tests and provisions. The staff are aware of the special test communicated in the grant and ensure that these are met.

Monitoring

- Annual audits by independent auditor.
- SD Department of Education receives periodic reports.

Highly Qualified Teachers & Paraprofessionals -**Control Environment**

- The Authorized Agent and Fiscal Agent possess a lot of knowledge about the Title I program and are aware of the poverty eligibility requirements.

- Appropriate assignment of responsibility and delegation of authority for special provision decisions.

Risk Management

- Before any teacher can enter into a signed contract with the school district to work in the Title I area they must submit the appropriate documentation to the Title I office to keep in files to ensure all teachers that work in the Title I program are highly qualified.

Control Activities

- Written policy exists that establishes responsibility and provides the procedures for periodic monitoring, verification, and reporting of program progress and accomplishments over special tests and provisions.

Information and Communication

- It is communicated to teachers by the Business Manager and/or Authorized Agent before they are able to get their contract for Title I that they must submit the appropriate documentation to be kept on file in their personnel record.
- If the employee is not considered Highly Qualified, the appropriate Praxis I examination is schedule for completion by the Title I personnel.

Monitoring

- Annual audits by independent auditor.
- SD Department of Education receives periodic reports.

Impact Aid CFDA #84.041**ACTIVITIES ALLOWED OR UNALLOWED AND ALLOWABLE COSTS/COST PRINCIPLES -****Control Environment**

- Management sets reasonable budgets for Federal and non-Federal programs so that no incentive exists to miscode expenditures.
- Management enforces appropriate penalties for misappropriation or misuse of funds.
- Organization-wide cognizance of need for separate identification of allowable Federal costs.
- Management provides personnel approving and pre-auditing expenditures with a list of allowable and unallowable expenditures.

Risk Assessment

- Process for assessing risks resulting from changes to cost accounting systems.
- Key manager has a sufficient understanding of staff, processes, and controls to identify where unallowable activities or costs could be charged to a Federal program and not be detected.

Control Activities

- Accountability provided for charges and costs between Federal and non-Federal activities.
- Process in place for timely updating of procedures for changes in activities allowed and cost principles.
- Computations checked for accuracy.
- Supporting documentation compared to list of allowable and unallowable expenditures.
- Adjustments to unallowable costs made where appropriate and follow-up action taken to determine the cause.
- Accountability for authorization is fixed in an individual who is knowledgeable of the requirements for determining activities allowed and allowable costs.

Information and Communication

- Reports, such as a comparison of budget to actual provided to appropriate management for review on a timely basis.
- Establishment of internal and external communication channels on activities and costs allowed.
- Training programs, both formal and informal, provide knowledge and skills necessary to determine activities and costs allowed.
- Interaction between management and staff regarding questionable costs.
- Grant agreements (including referenced program laws, regulations, handbooks, etc.) and cost principles circulars available to staff responsible for determining activities allowed and allowable costs under Federal awards.

Monitoring

- Management reviews supporting documentation of allowable cost information.
- Flow of information from Federal agency to appropriate management personnel.
- Comparisons made with budget and expectations of allowable costs.
- Analytic reviews (e.g., comparison of budget to actual or prior year to current year) and audits performed.

DAVIS-BACON ACT -**Control Environment**

- Management understands and communicates to staff, contractors, and subcontractors the requirements to pay wages in accordance with the Davis-Bacon Act.
- Management understands its responsibility for monitoring compliance.

Risk Assessment

- Mechanisms in place to identify contractors and subcontractors most at risk of not paying the prevailing wage rates.
- Management identified how compliance will be monitored and the related risks of failure to monitor for compliance with Davis-Bacon Act.

Control Activities

- Contractors informed in the procurement documents of the requirements for prevailing wage rates.
- Contractors and subcontractors required to submit certifications and copies of payrolls which meet the requirements to pay prevailing wage rates.
- Contractors' and subcontractors' payrolls monitored for compliance with prevailing wage rates.

Information and Communication

- Prevailing wage rates are appropriately communicated.
- Reports provide sufficient information to determine if requirements are being met.
- Channels are established for staff, contractors, and workers to report misclassifications or failure to pay prevailing wages.

Monitoring

- Management reviews to ensure that contractors and subcontractors are being required to pay prevailing wage rates.
- On-site visits are performed to monitor classifications and wage rates.
- Monitoring reports from contractors are compared to independent checks.

Matching, Level of Effort, Earmarking -**Control Environment**

- Commitment from management to meet level of effort requirements (e.g., adequate budget resources to meet a specified matching requirement or maintain a required level of effort).
- Budgeting process addresses/provides adequate resources to meet level of effort goals.

Risk Assessment

- Identification of areas where estimated values will be used for level of effort.
- Management has sufficient understanding of the accounting system to identify potential recording problems.

Control Activities

- Evidence obtained from compliance supplement noting level of effort requirements.

Information and Communication

- Accounting system capable of calculating all amounts necessary for tracking.

Monitoring

- Review of activities performed to assess the accuracy and allowability of transactions and determinations.

REPORTING -**Control Environment**

- Persons preparing, reviewing, and approving the reports possess the required knowledge, skills, and abilities.
- Management's attitude toward reporting promotes accurate and fair presentation.
- Appropriate assignment of responsibility and delegation of authority for reporting decisions.

Risk Assessment

- Mechanisms exist to identify risks of faulty reporting caused by such items as lack of current knowledge of, inconsistent application of, or carelessness or disregard for standards and reporting requirements of Federal awards.
- Identification of underlying source data or analysis for performance or special reporting that may not be reliable.

Control Activities

- Tracking system which reminds staff when reports are due.

Information and Communication

- An accounting or information system that provides for the reliable processing of financial and performance information for Federal awards.

Monitoring

- Communications from external parties corroborate information included in the reports for Federal awards.

SPECIAL TESTS AND PROVISIONS -**Control Environment**

- Persons preparing, reviewing, and approving the special tests and provisions possess the required knowledge, skills, and abilities.

Risk Assessment

- Mechanisms exist to identify risks of not following special tests and provisions caused by such items as lack of current knowledge of, inconsistent application of, or carelessness or disregard for standards and reporting requirements of Federal awards.

Control Activities

- Review of special tests and provisions.

Information and Communication

- An accounting or information system that provides for the reliable processing of financial and performance information for Federal awards.

Monitoring

- Communications from external parties corroborate information included in the reports for Federal awards.

Adopted Date: April 10, 2017

SECTION E: SUPPORT SERVICES**FILE: E-1 EMERGENCY CLOSINGS**

The Superintendent may close the district schools or dismiss them early when hazardous weather or other emergencies threaten the health or safety of students and personnel. The Superintendent may excuse all students from attending school, delay the opening hour, or dismiss students early. The Superintendent may delegate this authority to another staff member in the event of his/her absence.

In making the decision to close schools, the Superintendent will consider many factors, including the following principle ones that relate to the safety and health of children:

1. Weather conditions, both existing and predicted.
2. Driving, traffic and parking conditions affecting public and private transportation facilities.
3. Actual occurrence or imminent possibility of any emergency condition that would make the operation of schools difficult or dangerous.
4. Inability of teaching personnel to report for duty, which might result in inadequate supervision of students.

Students, parents and staff will be informed early in each school year of the procedures that will be used to notify them in case of emergency closing. When schools are closed for emergency reasons, staff members will comply with Board policy in reporting for work.

Adopted Date: November 26, 2012

LEGAL REFS: SDCL 13-8-39; 13-10-2; 13-26-2

FILE: E-2 STUDENT TRANSPORTATION SERVICES

The major purpose of school transportation is to get students who live an unreasonable walking distance from school, to school and back in an efficient, safe, and economical manner. Other purposes include the provision of transportation for academic field trips in direct support of the curriculum, and transportation for support of the co-curricular program (athletics, music, drama, etc.)

Transportation may be provided to and from school for children grades preK-12 who live within the five-mile radius of the school. Bus service will be provided for students within these boundaries if the Board determines it is economically efficient, and is justifiable in terms of student safety. Students who reside more than five miles from the school of assignment and who do not have access to the bus service furnished by the district, will be entitled to transportation or board and room allowance in accordance to state law.

The transportation of students with special needs, when transportation is identified, as a related service on the student's IEP, will be in accordance with the specifications of their educational plans and will be arranged by the Transportation Supervisor.

Adopted Date: November 26, 2012

LEGAL REFS: SDCL: 13-29-19, 13-29-20; 13-30-1 through 13-30-4; ARSD 24:05:27:03

FILE: E-3 SCHOOL BUS SCHEDULING AND ROUTING

The Transportation Supervisor will conduct studies of bus routes to provide the safest, shortest routes that will get all children to school in the most economical way. Routes will be arranged in such a way as to equalize as nearly as possible the length of routes and busloads, and to provide for the full use of buses.

When practical, safe, timesaving and economical transfers may be made from one bus to another. Bus routes will not overlap unless absolutely necessary. When more than one bus travels on an arterial highway, each bus will be assigned a certain portion of the route and all children within this section will ride the bus to which they are assigned. Only one bus will cover one particular road unless overloading occurs.

Buses will not go off the main route to pick up children. Children may not get off the bus until reaching their residence or other location approved by the school and the parent/guardian.

Adopted Date: November 26, 2012

FILE: E-4 SPECIAL USE OF SCHOOL BUSES

Although the regular transportation of students to and from school will always be given first priority, school buses may also be used to take students to and from school-sponsored activities. The Transportation Supervisor will work with the appropriate school administrators to establish regulations governing transportation for special district programs.

Adopted Date: November 26, 2012

SECTION F: PERSONNEL**FILE: F-1 PERSONNEL POLICY GOALS**

The Board recognizes that a dynamic and efficient staff dedicated to education is necessary to maintain a constantly improving educational program. The Board is interested in its personnel as individuals, and it recognizes its responsibility for promoting the general welfare of the staff. The Board's specific personnel goals are:

1. To recruit, select, and employ the best qualified personnel to staff the school system.
2. To provide staff compensation and benefit programs sufficient to attract and retain qualified employees.
3. To provide programs for all employees to improve their performance and the overall rate of retention and promotion of staff.
4. To conduct an employee appraisal program that will contribute to the continuous improvement of staff performance.
5. To deploy personnel so as to ensure their skills are used as effectively as possible.
6. To develop the quality of human relationships necessary to obtain maximum staff performance and satisfaction.
7. To help all employees realize that the efficient and courteous performance of their assignment has a positive impact on the public support of education in the district.

Adopted Date: November 26, 2012

FILE: F-2 EQUAL OPPORTUNITY EMPLOYMENT

The Board subscribes to the fullest extent to the principle of the dignity of all people and of their labors and will take action to ensure that applicants are employed, assigned, and promoted without regard to their age, race, creed, color, sex, marital status, political affiliation, or national origin. Every available opportunity will be taken in order to assure that each applicant for a position is selected on the basis of qualifications, merit and ability.

Adopted Date: November 26, 2012

FILE: F-3 STAFF ETHICS

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. 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. 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. 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 district.
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 contracts 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.
9. Adherence by teachers to the South Dakota Professional Teachers Practices and Standards Commission Code of Professional Ethics.
10. Adherence by administrators to the South Dakota Professional Administrators Practices and Standards Commission Code of Ethics.
11. Faithfulness and promptness in attendance of work.
12. Support and enforcement of policies of the Board and regulations of the school administration in regard to students.
13. Diligence in submitting required reports promptly at the times specified.
14. Care and protection of school property.
15. 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.

Adopted Date: November 26, 2012

FILE: F-4 STAFF CONFLICT OF INTEREST

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 sell textbooks, instruction 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/her within the third degree of consanguinity or is his/her spouse.

Adopted Date: November 26, 2012

FILE: F-5 EMPLOYEE DRESS CODE

The responsibility for the dress and appearance of school employees of the McLaughlin School District primarily rests with the employee. However, some apparel may not be appropriate to wear to school even though that same apparel may be appropriate to wear in other settings. In general, employees shall not dress or groom themselves in a manner that causes a disruption, poses a significant risk of a disruption to the orderly operation of the school, or subject students and/or other employees to the presence of inappropriate clothing being worn at school.

One of the main objectives of the McLaughlin School District is that employees present themselves in a manner that promotes a positive and productive school environment, personal pride, academic success, and also to ensure the right of all persons to not be subjected to inappropriate clothing worn by employees. The school, as a center of learning, shall provide for the development of habits and attitudes conducive to acceptable wearing apparel, and good grooming. Wearing apparel shall not be of the type that would detract from the primary purpose of the school, which is academic instruction, nor shall accessories carried by employees to school be disrupting to the conduct of the school, have the potential of creating a serious risk of disruption, or hazardous to another person's. Employee dress shall be modest, neat, clean, and in keeping with health, sanitary, and safety practices.

Inappropriate clothing and appearance are disruptive to the school program and the Principal and Superintendent shall enforce compliance with this policy.

Violations of this Policy: Violations of this policy shall be addressed with the following consequences.

First Offense: A warning will be issued to the employee and will be recorded as a first offense. The employee will be required to cover or change the article of clothing. If for any reason an employee refuses to comply with the directive to cover or change the inappropriate clothing, the employee shall be deemed insubordinate and appropriate disciplinary action shall follow.

Second Offense: The employee will be required to cover or change the article of clothing. If for any reason an employee refuses to comply with the directive to cover or change the inappropriate clothing, the employee shall be deemed insubordinate and appropriate disciplinary action shall follow. The employee shall receive a written reprimand for violation of this policy, and a copy of the reprimand shall be placed in the employee's personnel file.

Third Offense and Subsequent Offenses: The employee shall be considered to be insubordinate and appropriate disciplinary action shall follow.

Employee Dress Code:

1. Undergarments may not be exposed.
2. The size of shirts and blouses shall be appropriate to the person's body size and shall not be unduly oversized or undersized.
3. Spaghetti straps and tank tops with appropriate neck lines, may be worn with an outer shirt covering, but may not be worn alone.

4. Halter-tops, midriff tops, tube tops, or clothing that exposes the upper torso are not allowed.
5. The size of the pants/jeans shall be appropriate to the person's body size and shall not be unduly oversized and/or undersized.
6. Hemmed walking shorts, athletic shorts or Bermuda shorts may be worn but they cannot be shorter than the tip of the thumb when both arms are extended by the side.
7. Garments must be pulled up high enough to cover undergarments and backside.
8. The hem of skirts or dresses shall not be shorter than the tip of the thumb when both arms are extended by the side.
9. Hooded sweatshirts will be allowed, but hoods of any type are not allowed to be up in the building.
10. All employees shall wear appropriate shoes/footwear (no slippers).
11. Wearing and displaying any items that identify gang activity or gang association is prohibited (as gang activity/affiliation is determined by law enforcement).
12. Clothing encouraging the use of drugs, alcohol, or violence and clothing which refers to sexual conduct is prohibited.
13. Clothing associated with discrimination on the basis of age, color, handicap, national origin, marital status, race, religion, or sex is prohibited.
14. Clothing (or lack thereof) exposing any portion of the torso or upper thighs such as see-through garments, mini-skirts, or mini-dresses, halters, or backless dresses are prohibited.
15. The mid section of the body shall have no skin exposed at any time.
16. Spandex-style "bicycle" shorts are not permitted.
17. Overalls worn with one or both straps unfastened are prohibited.
18. The wearing of sunglasses, gloves, caps, stocking caps, hoods, scarves, hairnets, or bandanas is prohibited.

Exemptions to the Dress Code Policy: Exemptions to the Dress Code Policy shall be permitted by the Principal/Superintendent upon appropriate documentation. In the event the wearing of clothing in compliance with the Dress Code violates an employee's sincerely held religious belief, or materially impacts an employee's documented medical condition, then the employee shall submit a signed affidavit setting forth the religious or medical issue and the requested exemption to the Dress Code Policy. The Principal/Superintendent may request additional documentation to substantiate the requested exemption and the employee shall provide the additional documentation as requested. The Principal/Superintendent, within the reasonable exercise of his or her discretion, shall determine if an exemption to the Dress Code Policy is appropriate, and communicate that decision to the employee.

Adopted Date: November 26, 2012

FILE: F-6 EMPLOYEE COMMUNICABLE DISEASES

The board recognizes its responsibility to provide a clean and healthy environment for students and school employees. The determination of whether an infected employee be excluded from work activities shall be made on a case-by-case basis, under the direction of the principal/building administrator or designee.

The 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:

1. A representative from the State Health Dept.
2. The employee's physician;
3. The employee and/or designee;
4. The school health service's supervisor;
5. The superintendent or designee; and
6. Other appropriate school personnel.

In making the determination, the advisory committee shall consider;

1. The physical condition of the school employee;
2. The expected type(s) of interaction with others in the school setting;
3. The impact on both the infected school employee and others in that setting;
4. The South Dakota Dept. of Health guidelines and policies;
5. The status of certification the employee as is promulgated in SDCL I3-43-3 and SDCL I3 43-3.3;
6. The recommendation of the County Health Officer, which may be controlling;
7. Information regarding the infected employee which is deemed part of his/her personnel records, therefore is classified as "Confidential" as required by SDCL I-27-3.

The advisory committee may officially request assistance from the State Dept. 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.

Public information will not be revealed about the employee who may be infected. If the employee is permitted to remain in the school setting, information will be provided, 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.

Adopted Date: November 26, 2012

FILE: F-7 EMPLOYEE COMMUNICABLE DISEASE GUIDELINES

Health guidelines for work attendance are established and interpreted within 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.

Disease and Incubation***Period Rules for Work Attendance**

 Acquired Immune Determination – should be made by Deficiency Syndrome the team process as outlined in (AIDS) the Communicable Disease Policy. 6 month to five years The State Dept. of Health guide-lines on AIDS shall be used as references.

Chicken Pox – The employee may attend work 14-21 days after all pox are dry and scabbed.

Cytomegalovirus – The employee may attend work. (CMV) Salivary Precautions should be taken by Gland Viruses contacts with immunosuppressant 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.

Herpes Simplex – The employee may attend work 2-12 days during an active case. Good hand washing in all cases should eliminate risk of transfer of infections.

Giardiasis – The employee may attend work. Infectious Enteric Food handlers must remain at home Diseases until they have three negative 5-25 days or longer stool specimens. Good hand washing in all cases should eliminate risk of transfer of infection.

Impetigo – The employee may attend school if under treatment and dry, a variable of 4-10 days

Infectious Hepatitis – The employee may attend work as directed by the physician. 15-40 days average, 25 days appropriate personal hygiene precautions should eliminate risk of transfer of infection.

Measles – (Red, Hard, Rubella, 7-day) the employee may attend work after a minimum of seven days. 8-14 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 – The employee may attend work as directed by the physician. (Glandular Fever) 2-6 weeks.

Mumps – 12-21 days. The employee may attend work after swelling has disappeared.

Pediculosis – (Lice, Crabs) the employee may attend work after treatment.

Pink Eye – The employee may attend work. (Conjunctivitis) after the eye is clear, under 5-12 days treatment or with physician's written permission.

Plantar's Warts – The employee may attend work.

Ring Worm – The employee may attend work. (Scalp, Body, if the area is under treatment.
Athlete's Foot)

Rubella The employee may attend work. (3-day, German measles) after a minimum of four days.
14-21 days Prevent exposure of pregnant women

Scabies The employee may attend work after treatment.

Streptococcal In-Infections (Scarlet Fever, Scarletina, and Strep Throat) he employee may attend
work 24 hours after initiation oral antibiotic therapy, clinically well. 1-3 days

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

Adopted Date: November 26, 2012

**FILE: F-8 USE OF ALCOHOL AND OTHER DRUGS BY EMPLOYEES
(Drug Free Workplace)**

Student and employee safety is a paramount concern to the school board. Employees under the influence of alcohol and/or other drugs are a serious risk to themselves, to students, and to other employees. Therefore, the school board will not tolerate the unlawful manufacture, use, possession, sale, distribution, or being under the influence of alcohol and/or other drugs. Any employee who violates this policy will be subject to disciplinary action which may include dismissal, and referral for prosecution. 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 alcohol and/or other drug statute convictions for any alcohol and/or drug violation. Such notification must be made by the employee to the superintendent no later than five (5) days after conviction.

Within thirty (30) days after receipt of information concerning an alleged or proven violation(s) of this policy, the district will take appropriate disciplinary action, which may include termination of employment, requiring the employee to participate in alcohol and/or other drug abuse assistance or rehabilitation programs, and possible referral for prosecution.

All employees will attend a district alcohol and/or drug free awareness program at which employees will be informed about the dangers of alcohol and/or drug use/abuse, this policy of maintaining an alcohol and/or other drug-free environment, available alcohol and/or other drug counseling; and rehabilitation programs; and the disciplinary sanctions that may be imposed upon employees for alcohol and/or other drug use/abuse violations. The information will be disseminated to each employee via written and oral communication.

The school board recognizes that employees who have an alcohol and/or other drug abuse problem should be encouraged to seek professional assistance. An employee who requests assistance shall be provided a listing of the regional treatment facilities or agencies to assist him/her in their choice of a service provider.

When a staff member has consumed alcoholic and/or illegal drugs off school property and/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 disciplinary sanctions, as for possession or consumption on school property.

The school board hereby commits itself to a continuing good faith effort to maintain a drug free environment.

A copy of this policy shall be given to all present and future employees.

Adopted Date: November 26, 2012

LEGAL REFS: Public Law 100-690

FILE: F-9 STAFF GIFTS AND SOLICITATIONS

Gifts: Students, parents, and other district residents and taxpayers will be discouraged from the presentation of gifts to teachers and other district employees. The routine giving of gifts to teachers by students -- or to students by teachers -- will be permitted at Christmas. Gifts may be presented at other special times, birthdays, weddings, and etc. Any gifts to be presented to departing employees by their respective groups will be at the discretion of the group involved.

Solicitations: The Superintendent will annually approve all solicitations that are to be permitted in the schools. No organization may solicit funds of staff members in the schools, nor may anyone distribute flyers or other materials related to fund drives through schools, without the approval of the Superintendent.

Employees may not be engaged in the sale of products to the schools, even if the proceeds of such sales are intended for charitable or civic purposes; nor will staff members collect any money or distribute any fund-raising literature without the express approval of the Superintendent.

Adopted Date: November 26, 2012

FILE: F-10 SMOKING ON SCHOOL PREMISES

The School Board recognizes that smoking represents a health and safety hazard which can have serious consequences for the smoker and nonsmoker and the safety of the District. In order to protect the students, staff, employees, visitors and guests of the District from an environment that may be harmful to them, and because of possible harm to personal well-being, The Board hereby prohibits smoking by staff members, employees, visitors, or guests in all District buildings, on grounds, and in all school vehicles at all times.

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

It is understood that this policy will be in addition to other Board policies concerning the prohibition of smoking by students on school property and buses.

This smoking prohibition will be in effect for regular school hours. Provided classes are not in session, the use of tobacco products on school property outside the building/facility shall be permitted only in designated areas during a school athletic contest or fine arts performances.

Adopted Date: November 26, 2012

FILE: F-11 MILITARY LEAVE

For Military Leave, Title 38 USC 4301 (PL 93-508) will be followed. The employee will be compensated at the regular pay with the staff member paying the cost of a substitute. An employee will be paid for a period of ten (10) days. Additional days may be granted to the employee upon approval of the Superintendent. Extended time benefits will be requested of and granted or denied by the School Board of Education. Considerations will be made on a case-by-case basis for employee who is a member of a duly qualified of the Reserve Component of the Armed Forces.

1. He/she must give advance written or verbal notice prior to the time of departure.
2. He/she must have satisfactorily performed the requirements of their training.
3. The employee must return to his/her position within the time frame established by the federal law (USERRA).
4. In case the taxable military pay, for such ten (10) day period, is less than his/her regular wages, he/she shall be paid the difference by the school upon submission of verifying documentation for military compensation.

Active Duty: Pursuant to federal law (USERRA), any member of the bargaining unit who reports or performs duty in any branch of the armed forces of the United States shall be entitled to reinstatement.

Adopted Date: November 26, 2012

LEGAL REFS: 38 USC 4301, USERRA

FILE: F-12 PROFESSIONAL STAFF HIRING

All professional staff members of the district will be appointed by the Board upon the recommendation of the Superintendent. Should a person nominated by the Superintendent be rejected by the Board, it will be the Superintendent's duty to make another nomination. The Superintendent will assure that all persons nominated for employment meet state certification requirements and the qualifications established for the particular position.

Interviewing and selection procedures will assure that the principal or other administrator to be directly responsible for the work of the staff member has an opportunity to aid in the selection; however, the final recommendation to the Board will be made by the Superintendent.

Candidates will be hired with a personal interview, or Skype may be used.

All candidates will be considered on the basis of their merits, qualifications, and the needs of the district. In each instance, the Board will seek to hire the best qualified person for the job. The Superintendent may send a contract to the potential employee but the contract is not finalized until the employee signs and returns it and the Board then approves the contract.

Adopted Date: November 26, 2012

LEGAL REFS: SDCL 3-3-1; 13-10-2; 13-13-17; 13-42-1 through 13-42-24; 13-43-4 through 13-43-6.6; 13-43-7.1; ARSD Chapter 24:02

FILE: F-13 SUBSTITUTE PROFESSIONAL STAFF EMPLOYMENT AND SUBSTITUTE TEACHER PAY

The employment of substitute teachers will be centralized for the district in the office of the superintendent. To the extent possible, substitute teachers must meet the requirements for teacher appointments and will be assigned substitute teaching positions on the basis of their areas of competence. The Board has set the daily rate of pay for substitute teachers at \$98 per day and \$114 per day if the substitute has at least a BA/BS degree and provides documentation of said degree. All substitutes will receive an extra \$5.00 per day after the fifth (5th) consecutive day of substituting for any Certified staff member. Any additional benefits provided to substitute teachers are approved by the Board. Principals will assume responsibility for the scheduling of substitutes from the approved list as needed. Additionally, the Board has set the daily rate of pay for substitutes for classified staff at \$9.50 per hour.

Adopted Date: November 26, 2012

Revised Date: May 16, 2013

FILE: F-14 STAFF DEVELOPMENT

Continuing professional growth and increasing effectiveness on the part of the entire staff are essential for the success of educational programs and school operations. The continual professional growth of all staff members on an individual basis and through planned in-service programs will be encouraged. Such opportunities may include, within budgetary limitations, special in-service courses and workshops, summer study grants, school visitations, and attendance at professional conferences and meetings.

The Superintendent will work with other school districts, local colleges and universities, and the South Dakota Department of Education to provide in-service education for teachers. The Administration shall on a regular basis:

1. Conduct an assessment of in-service education needs for teachers.
2. Review/Develop criteria for effective in-service education activities.
3. Review/Develop travel and professional leave policies.
4. Develop a calendar that includes days for in-service education.
5. Review/Develop a cooperative relationship with agencies that provide in-service education.
6. Establish an in-service education committee composed of teachers and administrators.
7. Identify resources for in-service education.
8. Assess the effectiveness of in-service education activities in relation to district goals.

The Superintendent will have authority to approve release time for conferences and visitations, and reimbursements for expenses, provided such activities are within budget allocations. The Board may authorize without loss of pay, teacher attendance at an annual professional association meeting (the professional association must be in the teacher's contracted teaching area).

Adopted Date: November 26, 2012

FILE: F-15 EVALUATION OF PROFESSIONAL STAFF

Section 1 - Philosophy: The parties recognize the importance and value of a procedure for assisting and evaluating the progress and success of both non-tenured employees and tenured employees for the purpose of improving teaching and student learning. A consistent and continuous system of teacher evaluation is an integral part of maintaining a high quality program of instruction. The purpose of evaluation is to reinforce positive performance, improve instruction, and substantiate contract recommendations.

Section 2 – Evaluation Criteria: The MEA recognizes and acknowledges that it is the sole responsibility of the Board to determine evaluation criteria and develop the evaluation instrument and that neither the evaluation criteria nor the evaluation instrument are subject to negotiations. Specific areas/criteria of employee evaluation as determined by the Board are:

1. Interpersonal skills;
2. Content and curriculum/activity knowledge and professional growth;
3. Instructional skills and techniques;
4. Classroom management;
5. Professional performance of contracted duties.

Section 3 - Procedures for Evaluation:

1. During the first week of school, the principal/director shall orient all new employees regarding evaluative procedures and instruments.
2. Evaluations shall be conducted by an immediate administrator (Custodial Supervisor, Elementary Principal, MS/HS Principal, Food Service Director, Federal Programs Director, Transportation Supervisor) unless the Superintendent assigns another administrator to conduct the evaluation.
3. Evaluations may be comprised from both previously announced and unannounced informal and formal classroom or activity observations as well as informal outside the classroom or activity during the time the teacher is on duty.
4. Teachers in their first three years of employment in the McLaughlin School District shall receive at least two (2) written evaluation during the school year with at least one written evaluation being done each semester. Teachers in their fourth and subsequent years of employment shall receive at least one written evaluation every year.
5. The employees recognize that evaluation is an ongoing process and whenever the employee is observed during the workday by the evaluator responsible for that employee's evaluation, that the observation may be incorporated into the formal written evaluation. A formal observation occurs when the evaluator is in the classroom or activity for at least 30 minutes (which may be from more than one classroom/activity visit) with the specific objective of observing and evaluating the employee. An informal observation occurs when the evaluator observes the employee when the observation is not in a formal classroom or activity observation setting.
6. The evaluator shall provide written suggestions for improvement if needs improvement is identified. A Plan of Improvement may be implemented for an employee in areas deemed by the evaluator as being Unsatisfactory. In the event an evaluation results in a Plan of Improvement, a follow-up written evaluation shall be conducted within 30

school days. Such follow-up written evaluation shall note progress, or compliance with, areas in need of assistance.

- a. Nothing within the evaluation procedure prohibits or limits the right of an administrator to place a teacher on a written plan of assistance at any time should in the opinion of the administrator there be a need to do so due to administrator concerns regarding teacher performance and desired improvement.
7. All staff shall have the opportunity for a post-supervisory conference. The entire evaluation will be reviewed at this time. Both parties shall have the opportunity to refute any decisions. The employee shall then receive a copy of the formal written evaluation report. The written evaluation shall be signed by the employee and administrator conducting the evaluation and a copy shall be given to the employee. The original document shall be placed in the employee's personnel file. The employee signature does not imply agreement with the contents but constitutes an acknowledgment of receipt of the evaluation.
 - a. In the event that the employee feels the evaluation or plan of assistance was incomplete, inaccurate or unjustified, the employee may submit written comments to the evaluator in response to the evaluation within five (5) school days of the conference. Such written comments shall be attached to the evaluation report in the employee's personnel file.
8. All files on an employee shall be made known to the employee and no material may be placed in the file(s) without the employee's knowledge and the opportunity to have a demurral statement attached. All personnel files shall be strictly confidential and access to the file(s) shall be limited to the Superintendent, appropriate principal and administrative staff, and any person designated by the employee. These files are subject to board and school attorney review at a duly authorized meeting, provided this item is on the agenda of the board meeting and such review is done only in executive session. The employee shall have the right to inspect and make copies of any files pertaining to him/her while accompanied by the representative of his/her choice.

Adopted Date: November 26, 2012

FILE: F-16 RETIREMENT OF PROFESSIONAL STAFF MEMBERS

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

Adopted Date: November 26, 2012

FILE: F-17 EARLY RETIREMENT POLICY

An early retirement/severance pay system is established to reward teachers for their service in years in the District and for their faithfulness to the task.

A. Eligibility

1. A certified employee, who has completed at least twenty (20) years of consecutive employment in the District as a full time certified employee as of June 30th of the year and who has attained the minimum age of fifty-five (55) years is eligible to apply for this benefit as defined herein.
2. A teacher may have a one-year board approved leave of absence. That year will not count for years of service, but the years of continuous service do not need to start back at zero. If a second leave of absence is taken, it will then go back to zero for the early retirement policy eligibility.

B. Application

1. An employee who is qualified for early retirement and who elects to take early retirement must provide to the Superintendent of schools a written request on, or prior to, the third Monday of March of the year at the end of which such early retirement would occur and shall provide the Superintendent of schools with a statement from the Social Security Administration showing the amount of Social Security Benefits the employee would receive as a Social Security Benefit at age sixty-six (66). The Board, at its sole discretion, may excuse lack of timely notice and may allow early retirement so long as the member's early retirement will not cause undue harm or hardship to the district.
2. The employee who is entitled to early retirement benefits shall be paid an amount which bridges the gap from the time of retirement until the employee would qualify for Social Security eligibility at age sixty-six (66) under the provisions and conditions of 29 USC 623 (L)(1) and 42 USC 401 et seq in the following manner.
 - a. The benefits shall be a fixed monthly payment to the employee commencing with the first pay period in September of the retirement year and continuing monthly until the employee attains the age of sixty-six (66) years in an amount which will equal the lesser of the following.
 - i. 25% of the BA/BS Base amount salary divided by 12 as set forth in the Certified Pay Scale for the year the request for early retirement is made.
 - ii. The amount the employee would receive as a benefit at age sixty-six (66) under Title II of the Social Security Act (42 USC 401 et seq).
3. All employees electing early retirement must enroll in direct deposit.

4. Retirement as used herein shall mean voluntary complete severance of employment with the school district.
5. A limit of two eligible employees can retire in a given year. The teachers having seniority (defined as most continuous years of service) within the district may retire first. Chronological age of the teacher will be the tiebreaker for eligibility. If ineligible, they may participate in the following year.
6. An employee who has retired and received early retirement benefits pursuant to this policy or is eligible to receive, or has received South Dakota Retirement System benefits, and then is rehired by the District is not subsequently eligible for the District's early retirement benefit.

C. Insurance

A teacher who elects retirement may remain in the medical insurance group, dental insurance group, life insurance group, and any other insurance program the district is involved in, but will assume the entire payment of the insurance premium until age 66 or he/she leaves the group.

D. Death Benefit

Should the employee who has been approved for early retirement benefits die after September 1 of the retirement year, and before receiving all such benefits, the benefits shall terminate.

Adopted Date: November 26, 2012

Adopted changes: December 10, 2012

Early Retirement Application

Name: _____

Date: _____

Date of Birth: _____ Age: _____ (must be 55-60 on March 1 of any school year)

Date hired by the District: _____

Total number of years teaching with the District: _____

Positions and dates held in the District: _____

Was there any interruption in your employment with the District such as by an approved leave of absence, retirement, or any other reason? If so, when? _____

What is Your Current Salary? _____

Employee Signature _____ Date _____

Superintendent's Signature acknowledging receipt of application

_____ Date _____

Adopted Date: November 26, 2012

FILE: F-18 PRIVATE TUTORING FOR PAY

To assure all students reasonable instructional assistance without charge from their own teachers, and to avoid placing a teacher in a position where he/she 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 assignments they will be called upon to pass. Teachers may not tutor any student privately for pay during their regular work hours or on school premises.

Tutoring paid by the District may be done by regular staff members during months provided the student is on an IEP and special tutoring is a part of that plan.

Summer tutoring rate will be approved by the Board prior to the summer work.

Adopted Date: November 26, 2012

FILE: F-19 SUPERVISION OF STUDENTS

When students are in school, engaging in school-sponsored activities, or traveling to and from school buses, they are responsible to the school, and the school is responsible for them. School personnel assigned to their supervision serve in loco parentis.

The Board expects all students to be under assigned adult supervision at all times when they are in school, on school grounds, traveling under school auspices, or engaging in school-sponsored activities.

School personnel assigned this supervision are expected to act as reasonably prudent adults in providing for the safety of the students in their charge. In keeping with this expected prudence, no teacher or other staff member will leave his/her assigned group unsupervised except as an arrangement has been made to take care of an emergency.

During school hours, or while engaging in school-sponsored activities, students will be released only into the custody of parents or other authorized persons.

Adopted Date: November 26, 2012

LEGAL REFS: SDCL: 13-32-1

FILE: F-20 REPORTING CHILD ABUSE

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 building principal or superintendent. The principal or superintendent should immediately report this information to the state's attorney, the department of social services, the county sheriff, or law enforcement. If the principal or superintendent 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 the proper 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 investigate or prove that the child has been abused or neglected, or to determine whether the child is in need of protection, but only to report their 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 punishable by a \$1,000 fine, one year in jail, or both. Failure to make a 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.

Adopted Date: November 26, 2012

LEGAL REFS: SDCL: 26-8A-3; 26-8A-6 through 26-8A-15

FILE: F-21 CONTRACTS

All contracts with certified personnel employed by the Board shall be in writing and signed by the President of the board and the Business Manager.

The contract shall specify the approximate date at which time school shall begin, the term of employment, and the wages per year, per month, and for the number of months.

A health certificate must be made part of the school record before a contract is certified.

Adopted Date: November 26, 2012

FILE: F-22 CONTRACT LIQUIDATION DAMAGES

Contracts may be terminated only by mutual consent of the contracting parties or by the statutory provisions of the laws of South Dakota. If no mutual consent as to termination exists and if the teacher initiates the termination of the contract prior to its termination date, the school district may withhold any monies due to the teacher or collect from the teacher:

1. The sum of two hundred dollars (\$200.00) as liquidated damages if such termination occurs during the month of June,
2. The sum of four hundred dollars (\$400.00) if such termination occurs during the month of July, or
3. The sum of eight hundred dollars (\$800.00) if such termination occurs after August 1.

It is hereby agreed that the amounts herein specified are fair and reasonable damages for the breach of contract as provided in SDCL 53-9-5. Is it further agreed that the assessment of liquidated damages shall not preclude the school district's utilization of the provision of SDCL 13-42-9 of revocation of certificate.

Adopted Date: November 26, 2012

FILE: F-23 SUPPORT STAFF FRINGE BENEFITS

Benefits in addition to basic salary are recognized as an integral part of total compensation for support staff members.

Benefits for support staff members will include coverage as required by law (including Social Security, SD Retirement System and worker compensation).

All support staff members who are regularly employed for at least 20 hours per week and who meet the provisions of the insurance carrier's underwriting requirements, will be entitled to participate in the district's group insurance program which include medical and gap, dental, vision and life coverage. The District's contribution toward the payment of the premiums, if any, shall be set by the Board, and a factor to be considered by the Board is whether the support staff employee is employed over a twelve month period, only during the school year or for some other length of time.

Aflac is also available to employees, but no amount of premium shall be paid by the Board.

Paid Time Off: Classified employees employed for the school year, approximately 9 months, shall receive 119 hours of Paid Time-Off (PTO), which is the equivalent of 14 days at 8.5 hours per day, with the exception of Cooks, who shall receive 98 hours of PTO, which is the equivalent of 14 days at 7 hours per day and Bus Drivers employed for the school year, approximately 9 months, shall receive 56 hours of PTO, which is the equivalent of 14 days at 4 hours per day. Classified employees employed 12 months out of the year shall received 128 hours of PTO which is the equivalent of 14 days at 8 hours per day.

Certified employees employed for the school year, approximately 9 months, shall receive 119 hours of PTO as well.

Administrative employees shall receive 128 hours of PTO, which is the equivalent of 14 days at 8 hours per day.

If employment begins after the school year has commenced, PTO will be prorated based off number of days worked in a contract period.

Paid Time Off Bank: All employees who sign an intent-to-return contract and are in their second year of employment will transfer unused Paid Time-Off (PTO) to their personal PTO Bank in June of every year. A maximum of 382.5 hours (45 days at 8.5 hours per day) of PTO can be transferred into the Bank. Once the Bank has been filled, any remaining unused PTO is paid at the rate of \$75 per day for Classified employees and \$100 per day for Certified and Administrative employees.

When an employee will not be returning, and has completed the term of their contract, unused PTO will be paid at the rate of \$75 per day for Classified employees and \$100 per day for Certified and Administrative employees.

The personal PTO Bank can be redeemed at the end of employment at the rate of \$37.50 per day for Classified employees and \$50 per day for Certified and Administrative employees.

Vacation: Classified employees employed 12 months out of the year shall receive 80 hours of Vacation which is the equivalent of 10 days at 8 hours per day. When the Classified employee has been employed for 10 years, they shall receive 120 hours, or 15 days of Vacation. Administrative employees receive 160 hours, or 20 days of Vacation each year.

Vacation is established on July 1st of every year. Employees who receive Vacation days have until September 30th every year to use their remaining Vacation, or it will be relinquished. The Board reserves the right to grant or deny redemption of unused Vacation at the request of the employee. If unused Vacation is approved for redemption by the board, it will be redeemed at the hourly rate of that employee.

Sick Bank:

1. All certified employees under continuing contract who have received their fourth full year contract have the option to join the sick bank. The decision must be made by the first day of October. The association will provide the list to the Superintendent.
2. All participants will contribute two (2) sick leave days (17 hours) to the bank every year unless the participants have not used any days in the bank. In the event the sick bank shall fall below sixty (60) days (510 hours), all members of the sick bank have the option to put all unused sick leave days (after their accumulative 382.5 hours or 45 days of personal PTO bank) into the sick bank.
3. The total number of days in sick bank may accumulate to 180 days (1530 hours).
4. Prior to drawing from the sick bank, use of the sick bank by the employee must first be approved by the Certified Sick Bank Committee consisting of Certified employees covered under this agreement.
5. No participant may draw more than 510 hours per contract period. Sick bank may only be used after the employee has used his/her own sick leave.
6. Sick bank days may only be used through a doctor's recommendation for a participant's illness or accident.
7. No employee may draw against the bank for more days than have been contributed by participants.
8. Sick bank may be used for maternity purposes only when there are unusual complications stemming from pregnancy, but not allow the use of sick bank to stay home with a child after birth.

Paid Holidays are: New Years Day, President's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Native American Day, Veteran's Day, Thanksgiving, Christmas Eve and Christmas Day, unless school is in session.

The District shall adhere to FMLA (Family Medical Leave Act) to the extent applicable to support staff employees.

Adopted Date: December 10, 2012

FILE: F-24 SUPPORT STAFF RECRUITING/HIRING

The Board will establish and budget for support staff positions in the school district on the basis of need. The recruitment and recommendation to the School Board for employment of candidates for these positions will be the responsibility of the superintendent. All candidates will be considered on the basis of their merits and qualifications, and on the needs of the school district. A present employee may apply for any vacancy for which he/she is qualified. The superintendent will seek to recommend the best qualified person for the job.

Subject to collective bargaining, if applicable, conditions of employment for support staff members as well as wages, hours, and other benefit will be fixed by the Board upon the recommendation of the superintendent.

Nothing within School Board Policy, any school board motion or any individual employee work agreement shall mean nor shall be construed or interpreted to mean that the McLaughlin School District has waived or has relinquished its statutory right as an employee-at-will employer pursuant to SDCL 60-4-4 and the Board retains its statutory right to terminate an employee's employment at any time with or without cause, provided the reason for employment termination is not prohibited by State or Federal law.

Adopted Date: November 26, 2012

LEGAL REFS: SDCL 3-3-1 through 3-3-6; 13-10-2; 60-4-4; SDCL Ch. 3-18.

FILE: F-25 SUPPORT STAFF TIME SCHEDULES
(Subject to the collective bargaining process, if applicable)

Subject to Board approval, and the collective bargaining process, if applicable, the Superintendent will set the total number of hours per week, and weeks per year, of work for classified personnel. The normal work week for support staff personnel will be Monday through Thursday, excluding legal holidays and other exceptions and schedules may be designated by the building principal and approved by the superintendent.

Specific work time schedules for support staff members will be set by the appropriate administrators in line with pertinent school opening and closing times, student schedules, and so on.

Adopted Date: November 26, 2012

FILE: F-26 REDUCTION IN SUPPORT WORK FORCE
(Subject to the collective bargaining process, if applicable)

The number of support staff employees may be reduced due to a change in program, a change in the size or nature of the student population, or budgetary considerations. The Board will attempt to accomplish such a reduction through normal staff attrition, unless the best interest of the school district dictates otherwise. In the event reduction of staff is necessary, seniority will be considered along with performance in determining employees who will be affected by either layoff or changes in position. Employees whose employment is being terminated due to reduction in work force will be given not less than a two-week notice.

Adopted Date: November 26, 2012

FILE: F-27 RESIGNATION OF SUPPORT STAFF MEMBERS

Any support staff employee desiring to resign will be required to make such a request in writing to the superintendent, stating the time the employee wishes the resignation to become effective. The superintendent will present the resignation to the Board at its first meeting after the receipt of the resignation, and the Board will act upon the request of the employee. The Board requests at least two-week notice be given to the District by the employee in order to allow time for the District to try to fill the vacancy.

Adopted Date: November 26, 2012

FILE: F-28 RELEASE OF SUPPORT STAFF MEMBERS
(Subject to the collective bargaining process, if applicable)

All support staff employees are employees-at-will pursuant to SDCL 6-4-4 [an employment having no specified term and which may be terminated at the will, with or without cause, by either party on notice to the other, unless otherwise prohibited by State or Federal law. No School Board Policy, any school board motion or any individual employee work agreement shall mean nor shall be construed or interpreted to mean that the District has waived or has relinquished its statutory right as an employee-at-will employer pursuant to SDCL 60-4-4 and the Board retains its statutory right to terminate an employee's employment at any time with or without cause, provided the reason for employment termination is not prohibited by State or Federal law.

Adopted Date: November 26, 2012

FILE: F-29 SUSPENSION AND DISMISSAL OF SUPPORT STAFF MEMBERS

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. In cases of alleged employee misconduct, insubordination or unsatisfactory performance, he/she may be temporarily suspended with pay by the Superintendent until the matter is investigated. If the charges are unfounded, he/she will be reinstated. If the allegation is substantiated the Superintendent may recommend the employee be suspended without pay for a period of time or that the employment relationship is terminated, only to be determined by the Board.

Adopted Date: November 26, 2012

FILE: F-30 CHAIN OF COMMAND

It is unethical to present school problems directly to the school board without first consulting the administration.

Professional difficulties must be discussed with the principal or superintendent in a way suggested by the chart determined as The Chain of Command.

Professional difficulties may be appealed in writing to the board as a whole, but only after difficulties have been discussed with administration. The Superintendent shall not be questioned unjustifiably or his/her authority confused by frequent and easy appeal.

If one wishes to be on the agenda for a school board meeting, one must notify the superintendent and state the purpose for meeting with the school board.

Adopted Date: November 26, 2012

FILE: F-31 SOCIAL NETWORKING POLICY**OBJECTIVE/PHILOSOPHY**

The McLaughlin School District allows employees to access personal websites, blogs, and the use of social networking websites such as Facebook, Twitter, Linked In, MySpace and other similar sites during working hours. Employees should observe the following guidelines to ensure that their public activities on personal websites, blogs, and social networking sites do not conflict with their responsibilities toward the McLaughlin School District and its students, including their duties of confidentiality.

PROCEDURE/CONTENT:

As an employee of the McLaughlin School District, you are legally required to identify yourself as a McLaughlin School District employee if you post any comment that promotes or endorses McLaughlin School District products in any way on any personal website, web blog, or social networking website, whether your own or that of another person or entity.

If you choose to identify yourself as a McLaughlin School District employee in personal websites, social networking websites or blogs, you are expected to also make clear to your readers that the views expressed on your site do not reflect the views of the McLaughlin School District by posting a disclaimer in a prominent place – for example, “The views expressed are mine only and do not necessarily reflect the views of my employer.”

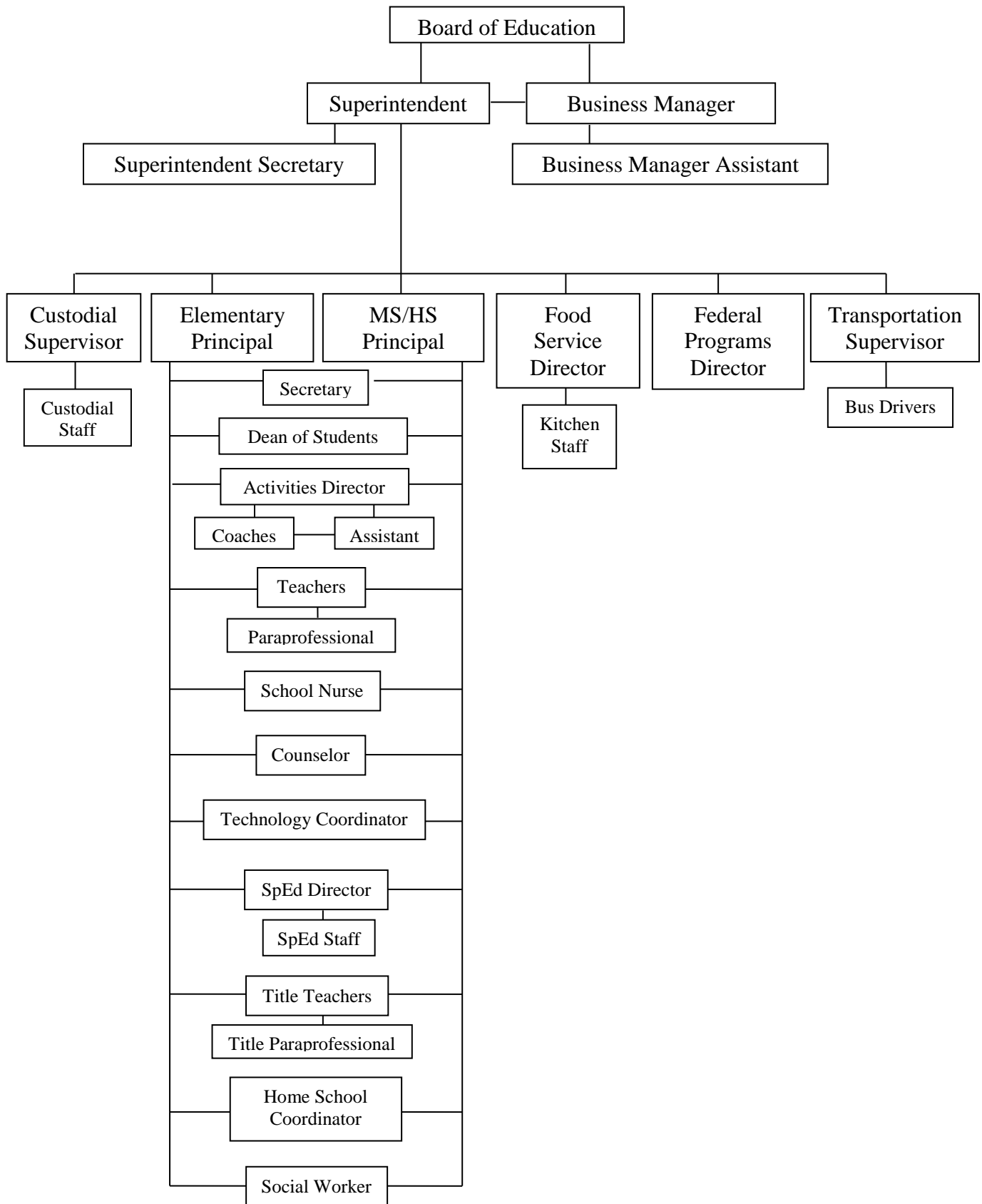
If you choose to discuss McLaughlin School District related information in any posting, you must not publish copyrighted material, including photographs, logo, artwork, et cetera without the permission of the copyright owner, which could be the McLaughlin School District or a third party.

You may not disclose the confidential, sensitive and/or proprietary information of the McLaughlin School District, its employees, students, alumni, vendors, or other third parties. This includes, but is not limited to information protected by FERPA, as well as financial, marketing, performance and other business information about the McLaughlin School District. If you are unsure whether it is appropriate to post certain information, please check with the superintendent.

You may not post any comments regarding the McLaughlin School District, its students, employees, or alumni that are obscene, defamatory, profane, libelous, threatening, harassing, abusive, or hateful. The McLaughlin School District will not allow employees to post personal attacks, disagreements, or controversies associated with McLaughlin School District, its employees, or students.

We request that you refrain from posting inappropriate information or content that would potentially bring disrepute either to the McLaughlin School District or to yourself in your capacity as a McLaughlin School District employee. Since your site is a public space, we request that you be respectful to the McLaughlin School District, our employees, students, alumni, and third parties as the McLaughlin School District itself endeavors to be.

Violations of these policies will be dealt with in the same manner as violations of other school policies, and may result in disciplinary review and/or action or termination from employment.

CHAIN OF COMMAND

Adopted Date: November 26, 2012

SECTION G: INSTRUCTION**FILE: G-1 INSTRUCTIONAL GOALS**

The educational program of the district will be designed to perpetuate and develop principles and values for life in our democratic society. To this end, the Board will provide opportunities and training so students may become educated Americans who are physically strong, morally and spiritually responsible, and economically capable. Through guidance and by example, our students should develop self-confidence, self-understanding, and respect for others. They should acquire skill in solving problems they will encounter and demonstrate a desire to gain new knowledge. In substance, the aim of our schools will be to assist in the development of the complete person, recognizing that this is a shared responsibility with the home, the church, and other agencies.

To achieve these ideals, the Board recognizes the necessity of meeting the needs of the individual and society. Thus, the curriculum must be flexible and adapted to individual abilities and differences. It must also be adjustable to changing conditions in order that our students may be academically, physically, socially, and morally prepared to progress.

The Board recognizes its responsibility to develop an educational program that will provide:

1. An environment in which the individual student is prepared to fulfill his moral, social, political, economic, and cultural responsibilities to the community, nation and world.
2. Attention to the development and practice in the fundamental skills of reading, writing, speaking listening, observing and reasoning.
3. School experiences in democratic living to enable a student to hold, to share, to cooperate, and to assume responsibility in family living and in society.
4. Opportunities for acquiring an understanding of the principles of physical health and safety, which will carry over to the student's daily life.
5. An appreciation and knowledge of the cultural, scientific, and ethical aspects of our society.
6. An educational atmosphere that will enhance the student's mental, emotional, and social development.

The Board recognizes its obligation to provide the necessary equipment, instructional materials, and staff to facilitate the implementation of this philosophy.

Adopted Date: November 26, 2012

FILE: G-2 ACADEMIC FREEDOM

Academic freedom may be defined as the right of qualified scholars in their own field of expertise to pursue the search for truth in its many forms, and to make public their methods and findings. It is the right of a qualified teacher to encourage freedom of discussion of controversial questions in the classroom, and to develop in students a love of knowledge and a desire to search for truth. The teachers should keep in mind that academic freedom is not a guaranteed political right, but rather a necessary condition for the successful practice of the academic profession in a free society.

The Board believes, however, that academic freedom also carries with it academic responsibility, which is determined by the basic ideals, goals, and institutions of the local community as they are expressed in the goals and objectives of the school district.

As a consequence of its responsibility to guarantee academic freedom to both students and teachers, the board expects that:

1. All classroom studies will be curriculum-related, and will be presented factually, objectively, and impartially.
2. Teachers will create and maintain an atmosphere of open-mindedness and tolerance.
3. Teachers will not attempt directly or indirectly to limit or control the students' judgment concerning any issue, but will make certain that full and fair consideration is given to the subject and that facts are carefully examined as to their accuracy and interpretation.

While the Board intends to protect teachers from any undue restraint that interferes with their classroom duties, the ultimate responsibility for determining curriculum textbooks and teaching methods must rest with the Board. It also expects that when controversial issues are presented, the maturity and intellectual grasp of students will be taken into account.

Adopted Date: November 26, 2012

FILE: G-3 CURRICULUM DEVELOPEMENT

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:

1. The administration and faculty to be perpetually sensitive to changing conditions that may require changes in curriculum.
2. All programs to be under continuous evaluations to see that they meet the needs of children.
3. 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.

Adopted Date: November 26, 2012

FILE: G-4 CITIZENSHIP EDUCATION

It is a prime responsibility of the district to help students understand, appreciate, and feel a responsibility to perpetuate our American heritage, customs, traditions, and ideals. Therefore, the Board directs that students will be instructed in the history and the Constitution of the United States, the history and constitution of the state of South Dakota, and the general principles of free government so they comprehend the rights, duties, and dignity of American citizenship.

Adopted Date: November 26, 2012

**FILE: G-5 HUMAN RELATIONS EDUCATION
(Moral/Character Instruction)**

Although the home and the church, as well as other community institutions, play an important role in contributing to the moral attitude of students, the Board recognizes that the schools may also influence a student's attitude and thinking.

The district will provide special character instruction intended to impress upon the minds of students the importance of truthfulness, temperance, purity, self discipline, self respect, sexual abstinence, AIDS instruction, public spirit, patriotism, citizenship, respect for honest labor, obedience to parents, respect for the contribution of minority and ethnic groups to the heritage of South Dakota, regard for the elderly and respect for authority.

In developing curriculum for various courses, the superintendent/chief executive officer (CEO) and the professional staff will keep in mind lessons which can contribute to the character instruction of the students. In addition, through the performance of their own activities staff members should keep in mind that they serve as role models for the students, and instruct students in these areas.

The Board will encourage parents and other community members to join them in providing guidance to students to enable them to develop their own code of ethics.

Adopted Date: November 26, 2012

LEGAL REFS: SDCL 13-33-6.1

FILE: G-6 PHYSICAL EDUCATION

The Board will attempt to provide students with an opportunity for wholesome and enriched educational experiences. It is the Board's belief that the following basic aims and objectives of the physical education program will contribute to this goal by:

1. Aiding the development of the entire student so that a well trained mind may function properly in a healthy body.
2. Encourage student participation in vigorous physical activity while in school and to teach the skills of those activities in everyday life.
3. Increasing appreciation of physical fitness and its importance in regard to good health.
4. Impressing upon students the importance of integrating one's mind, body, and attitude in preparing to face the obligations of a complex society.

Only in rare cases will students be exempt from physical education classes. School personnel have the responsibility for determining the activities appropriate for each student.

Adopted Date: November 26, 2012

FILE: G-7 TEACHING ABOUT DRUGS, ALCOHOL, AND TOBACCO

The Board views with grave concern the serious implications of drug, alcohol, and tobacco use by people, specifically young people, all over the United States and especially in the school district. In keeping with its primary responsibility--the education of youth--the Board charges the professional staff of the district to continue to investigate the causes of student and school staff involvement with drugs and alcohol, and to develop suitable preventive measures however and whenever feasible.

The Board and the professional staff will continue to seek ways to educate students and school staff of the district about the dangers of the illegal use of drugs and the abuse of alcohol; they will support the majority of our students and staff who are resisting such use. Instructional units will include sessions about the causes and effects of drugs and alcohol abuse, especially in young people.

The following objectives must be realized if the goal of minimizing drug and alcohol abuse is to be achieved:

1. Students must be encouraged to identify the problem and its causes, and to organize to solve it.
2. Students should understand the nature of legal and illegal drugs.
3. Students should be encouraged to develop a set of values and behavioral insights which will give them a deeper understanding of themselves and society.
4. Students should be encouraged to identify the variety of alternative forms of behavior, other than drug or alcohol abuse, which are available to satisfy their needs.
5. Students should be encouraged to make constructive decisions concerning the use of drugs and alcohol.

Adopted Date: November 26, 2012

FILE: G-8 PROGRAMS FOR CHILDREN WITH DISABILITIES

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 children with disabilities. 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 a disability 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 possible for each one.

The Board believes that most children with disabilities 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, 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 parent in designing and providing programs and services to children with disabilities. Parents must be informed, and conferred with, whenever a child is referred for 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 children with disabilities. The financial commitment necessary to meet the needs of all children with disabilities is extensive, and the Board, in accordance with state law, will include an amount in the district tax levy, not to exceed two mills, 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.

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.

Adopted Date: November 26, 2012

FILE: G-9 CURRICULAR AND EXTRACURRICULAR ACTIVITIES

The Board, in the interest of affording the boys and girls attending its schools the highest level of educational experience obtainable, believes that student activities are an essential part of deliberate education in the United States. Such activities form a logical adjunct to the required or general curriculum and the elective or special curriculum. Recognizing that student activities are a legitimate part of the school program, the Board has established the following criteria which all student activity programs must meet:

1. Student activities must have educational value for students.
2. Student activities must be in balance with other curricular offering in the schools.
3. Student activities must be managed in a professional manner.

The following guidelines will govern the student activities program:

1. Student activities are those school activities that are voluntarily engaged in by students, have the approval of the school administration and are sponsored by the faculty, and do not carry credit toward promotion or graduation.
2. Each school, under the direction of the principal and professional staff, will have a well balanced and effectively administered student activity program designed to stimulate student growth and development by supplementing and enriching the curricular activities.
3. Each activity should be designed to contribute directly to the educational, civic, social, ethical, and leadership development of students involved.
4. The student activity program should receive the same attention in terms of philosophy, objectives, social setting, organization, and evaluation that is given the regular school curriculum.
5. Each will develop definite written guidelines and procedures regulating the creation, organization, administration, and dissolution of student activity programs.
6. The expenses involved in participating in any student activity and in the total program for a school year should be set so that a majority of the students may participate without financial strain.
7. Activities must be open to all students, regardless of race, religion, sex, national origin, or disability.
8. Activities must not place undue burdens upon students, teachers, or schools.
9. Activities should be held on nonschool time or at an appropriate designated school time.
10. Activities at any level should be unique, not duplications of others already in operation.

In addition to the above guidelines district high schools will abide by the rules and bylaws of the South Dakota High School Activities Association (SDHSAA). Membership in the SDHSAA will be renewed annually by approval of the Board.

Adopted Date: November 26, 2012

FILE: G-10 7TH AND 8TH GRADE PARTICIPATION

Students in the 7th & 8th grade will be permitted to participate in SDHSAA events consistent with SDHSAA rules and regulations.

Adopted Date: November 26, 2012

FILE: G-11 STUDENT PUBLICATIONS

Students enjoy the constitutional rights of freedom of expression. They will have the right to express their views in speech, writing, or through any other medium or form of expression within limitations comparable to those imposed on all citizens but specifically designed for children and youth in a school setting.

The Board will encourage student publications not only because they offer an educational activity through which students gain experience on reporting, writing, editing, and understanding responsible journalism, but also because they provide an opportunity for students to express their views.

All student publications will be expected to comply with the rules for responsible journalism. This means that libelous statements, unfounded charges and accusations, obscenity, defamation of persons, false statements, material advocating racial or religious prejudice, hatred, violence, the breaking of laws and school regulations, or materials designed to disrupt the educational process will not be permitted.

The superintendent will establish guidelines that are in keeping with the above and provide for the review of the content of all student publications prior to their distribution. Review of content prior to publication is not censorship, but part of the educational process as this concerns student publications. It can be pointed out to students, as it frequently is to journalists, that a publisher (in this case, the school system) enjoys freedom to determine what it will and will not publish.

Distribution of Literature: Students have a right to the distribution of literature on school grounds and in school buildings, except that the principal may prohibit the distribution in school buildings of a specific issue or publication if it does not comply with rules for responsible journalism. The principal may require that no literature be distributed unless a copy is submitted in advance. The time, place, and manner of distribution of literature will be reasonably regulated by the principal.

Adopted Date: November 26, 2012

FILE: G-12 STUDENT FUND-RAISING ACTIVITIES

Justified fund-raising will be permitted for school classes or groups of students, under the sponsorship of a faculty member, provided they are approved by the superintendent and that benefits derived there from will be made available to all members of the class or group.

Adopted Date: November 26, 2012

FILE: G-13 INTERSCHOLASTIC ATHLETICS

The Board believes that students benefit from the experiences made possible through participation in interscholastic sports. Learning how to deal with success and failure, developing self-discipline, experiencing the successes of teamwork, and developing physical skills are some of the benefits which can come from these programs. All interscholastic programs will require Board approval and will operate under the general supervision of the superintendent. Qualified personnel will be assigned to supervise and coach the various sports as needed.

Membership of the district or any individual school in an interscholastic athletic association or league will be subject to annual approval by the Board. The Board will review the constitution and bylaws of any such organization, and its rules and regulations for member teams, before granting approval.

It is the practice of the Board to maintain membership for the district schools in the South Dakota High School Activities Association (SDHSAA). In the conduct of interscholastic athletic programs, the rules, regulations, and limitations outlined by the association will be followed. Eligibility requirements for participating in athletic programs will be set by the school administration with the approval of the Board and will conform to 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 a personal physician. Additionally, all students participating in interscholastic athletics must purchase insurance available through the school, or the parent or guardian must sign a waiver to the effect that such coverage is not necessary.

Adopted Date: November 26, 2012

FILE: G-14 CONCUSSION AWARENESS AND PREVENTION POLICY

With commitment in providing a safe learning environment and in recognition of the risks that concussions pose to our student athletes, the school district will provide appropriate concussion awareness education and prevention programs.

AWARENESS: The district will follow guidelines developed by the South Dakota High School Activities Association and South Dakota Department of Education to educate coaches, student athletes and parents of the nature and risks of concussions. On an annual basis, the district will distribute a concussion information sheet to all parents or legal guardians of student athletes. No student may practice or compete in any school sanctioned athletic activity until the parent or guardian and student return to the district a signed acknowledgement that indicates they have reviewed and understand material presented in the concussion information sheet.

TRAINING: Each year, every athletic coach, including volunteer coaches, shall complete a training program to provide continuing education on the risks and management of concussions. No coach shall be allowed to participate in any way in the district's athletic program until the individual provides to the district verification that he or she has completed the required training.

BASELINE TESTING REQUIREMENT: Baseline concussion testing is a critical part of accurate future concussion assessment. Baseline concussion testing provides a baseline score of an athlete's attention span, working memory, reaction time, etc. If the athlete suffers a concussion or is suspected of having received a concussion, he or she is evaluated with the baseline concussion test results being part of that evaluation process. Commencing with the school year, any student participating in one or more athletic programs of the District must complete a baseline concussion test prior to participating in any District athletic program for the first time, and at least every other year thereafter. The cost of the test is the responsibility of the parent(s)/ guardian(s) and student if not paid for by the Booster Club or other similar entity. A copy of the baseline test results must be received by the District's Activities Director prior to the student participating in the athletic activity.

REMOVAL FROM PARTICIPATION: An athlete shall be removed from participation in any athletic activity sanctioned by the South Dakota High School Activities Association at the time the athlete (1) exhibits signs, symptoms, or behaviors consistent with a concussion, or (2) is suspected of sustaining a concussion.

RETURN TO PLAY GUIDELINES: Any athlete who has been removed from participation during a practice or competition based on a suspected concussion may not participate in practice or competition until the athlete no longer exhibits signs, symptoms, or behavior consistent with a concussion and receives an evaluation by a licensed health care provider trained in the evaluation and management of concussions and receives written clearance to return to play from such health care provider. For the purpose of this policy, a licensed health care provider is (1) registered, certified, licensed, or other wise recognized in law by the State of South Dakota to provide medical treatment, and (2) trained and experienced in the evaluation, management and care of concussions.

Adopted Date: November 26, 2012

LEGAL REFS: SDCL 13-36-9 through SDCL 13-26-13, inclusive.

SECTION H: INSTRUCTIONAL RESOURCES**FILE: H-1 INSTRUCTIONAL MATERIALS**

The Board believes that materials appropriate to the needs of the school program must be available to each student and teacher. These will be furnished by the Board subject to budgetary constraints. The task of selecting instructional materials and programs will be delegated to the professional staff of the school system. Because instructional programs and materials are of great importance, only those that meet the following criteria will be approved by the Board:

1. They must present balanced views of international, national, and local issues and problems of the past, present and future.
2. They must provide materials that stimulate growth in factual knowledge, literary appreciation, aesthetic, and ethical values.
3. They must help students develop abilities in critical reading and thinking.
4. They must help develop and foster an appreciation of cultural diversity and development in the United States and throughout the world.
5. They must provide for all students an effective basic education that does not discriminate on the basis of race, age, religion, national origin, sex, or physical disabilities.
6. They must allow sufficient flexibility for meeting the special needs of individual students and groups of students.

Adopted Date: November 26, 2012

FILE: H-2 TEXTBOOK SELECTION AND ADOPTION

The Board will officially adopt textbooks and textbook programs for use in the district schools upon the recommendation of the chief executive officer (CEO)/superintendent. Responsibility for the review and selection of textbooks to be recommended will rest with textbook and/or curriculum committees as appointed by the chief executive officer (CEO)/ superintendent or his designee. 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.

Principles that apply generally to the selection of instructional materials and library materials will apply to the selection of textbooks and books. The State Board of Education will have the power to review any books or other instructional material selected for use in the district schools.

Additionally, basic textbooks and textbook programs will be chosen:

- a. To advance the educational objectives of the school system and particular objectives of the course or program.
- b. To contribute toward continuity, integration, and articulation of the curriculum.
- c. To establish a general framework for the particular course or program.

Because the instructional purposes of textbooks, as stated above, are of such importance, particular care will be taken in their selection as to content. Although many points must be examined, the Board directs the staff to be particularly mindful of the following considerations:

1. The needs of all learners must be attempted to be met.
2. Insofar as possible, multiethnic materials which depict a pluralistic society should be selected.
3. The textbook or textbook program should lead the student and teacher beyond the textbook into a wide variety of other materials and educational experiences.
4. If the textbook deals with problems and issues of our times, it should present and encourage examination of all points of view.
5. Because textbooks are selected for several years' use, special attention shall also be given to their physical characteristics, durability, format, and price.

Adopted Date: November 26, 2012

FILE: H-3 LIBRARY MATERIALS SELECTION AND ADOPTION

The Board endorses the School Library Bill of Rights, as adopted by the American Library Association, which asserts that the responsibility of the school library is to:

1. Provide materials that will enrich and support the curriculum, taking into consideration the varied interests, abilities, and maturity levels of the students served.
2. Provide materials that will stimulate growth in factual knowledge, literary appreciation, aesthetic values, and ethical standards.
3. Provide a background of information that will enable students to make intelligent judgments in their daily lives.
4. Provide materials on opposing sides of controversial issues so that young citizens may develop under guidance the practice of critical reading and thinking.
5. Provide materials representative of the many religious, ethnic, and cultural groups and their contributions to our American heritage.
6. Place principle above personal opinion and reason above prejudice in the selection of materials of the high quality in order to assure a comprehensive collection appropriate for the users of the library.

Initial purchase suggestions for library materials may come from all personnel--teachers, coordinators, administrators. Students will also be encouraged to make suggestions. The librarian will be responsible for evaluation and recommendation of all library materials recommended to be included in the school library. Final approval and authority for distribution of funds will rest with the building principal, 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 on selection.

Complaints about library books will be handled in line with Board policy on complaints about instructional materials.

Adopted Date: November 26, 2012

FILE: H-4 SCHOOL LIBRARY

The Board recognizes that an effective school library media center is an important and integral part of the instructional resources of each elementary and secondary school. Consequently, the school district will provide and maintain adequate school library media centers. Materials in school libraries will include a full range of print and audio-visual media. Library services will include instruction and help in the use of library resources. A school librarian will be employed in accordance with state regulations. The school librarian and assistants will act as teachers in the use of these resources. The school librarian, together with the school principal and superintendent, will develop such teaching programs and rules for library use as necessary to ensure maximum use of the library services and materials, and control of material.

The superintendent, upon the recommendation of the school librarian, will annually request sufficient funds from the Board to maintain library services at a high level.

Adopted Date: November 26, 2012

FILE: H-5 POLICIES ON COMPUTERS, NETWORK & E-MAIL USE AND ELECTRONIC DEVICES**INTERNET ACCESS IS A PRIVILEGE, NOT A RIGHT!**

1. The McLaughlin School District will make every reasonable effort to provide access to educationally appropriate resources, including Internet sites. However, it may not be technologically possible to limit Internet access to only those educationally appropriate sites that have been designated for the purpose of instruction, and research related to the curriculum.
2. Users of the Internet are responsible for their actions in the use of the Internet. Users have to complete the required training before they have access to it. The District cannot guarantee that users will not encounter inappropriate or offensive material on the Internet. If offensive material would cause the user embarrassment or other damage, the user should not use the system.
3. The District's electronic mail (e-mail) and information accessible via the network is not private. Other people, including but not limited to school administrators and the technology coordinator, have access to this the e-mails.
4. Illegal activities will be reported to the authorities.
5. All students' files/programs will be deleted at the end of the school year by the Technology Coordinator.
6. Staff will be notified of names of students on computer suspension

INAPPROPRIATE USE PROHIBITED: Inappropriate use includes, but is not limited to: intentional uses that violate the law, that are specifically named as violations in this policy, that violate the regulations of the school district or any other use that hampers the integrity or security of the school district's computer network or any computer networks connected to the Internet. All users of the school district's computers and networks are required to abide by the following rules:

1. Be polite and don't become abusive to others.
2. Use appropriate language. Swearing and the use of vulgarities will not be tolerated.
3. Do not reveal your personal address or phone number or that of other students or people.
4. Do not reveal your password or another user's password.
5. The District's electronic mail (e-mail) is not guaranteed to be private. People who operate the system have access to this.
6. Do not place unlawful information on any network system. Illegal activities will be reported to the authorities.
7. Persons using the District's e-mail system must be given permission by an administrator or computer coordinator to use District e-mail.
8. No trespassing in another person's file.
9. No programs or games may be brought from home or any other source, nor downloaded from the Internet, and installed on school computers. If programs or games are desired, they must be submitted to the technology coordinator. If these are allowed, they will be entered into the system and put on the menu by the instructor.
10. No physical tampering or destruction of computers, keyboards, printers, etc.
11. No unauthorized use of other student's directories. Students must keep their passwords private. Students are responsible for all files in their directory

12. The school administrators, instructional staff and the technology coordinator have the right to periodically inspect students files unannounced and at random.
13. No movies, music, or other outside electronic media files may be played on district equipment without approval from technology coordinator and/or administration.
14. Use of the school district Internet access for commercial “for profit” activities or product advertisements is prohibited.
15. Forgery of electronic mail messages, changing files belonging to users and downloading of any files into the school district’s computers is prohibited.
16. Unsolicited junk mail or chain letters are prohibited.

STUDENT ACTIVITIES STRICTLY PROHIBITED: In addition to the above general rules, activities which students are strictly prohibited from engaging in include, but are not limited to, the following:

1. Illegal installation or transmission of copyrighted materials
2. Any action that violates existing Board policy or public law
3. Access or use of any other email program or account other than the one issued by the school (i.e. Hotmail, Yahoo Mail, MSN Mail, etc.)
4. Using email to harass or bully others
5. Use of chat rooms, sites selling term papers, book reports and other forms of student work.
6. Messaging services (i.e. MSN Messenger, ICQ, etc.)
7. Playing non-educational internet games
8. Use of outside program disks without prior approval from the Technology Coordinator
9. Downloading illegal files, including music or other data files
10. Spamming-Sending mass or inappropriate emails
11. Gaining access to other student’s accounts, files, and/or data
12. Password sharing
13. Use of anonymous proxy servers or other attempts to negate firewall/filtering system
14. Vandalism (any malicious attempt to harm or destroy hardware, software or data, including, but not limited to, the uploading or creation of computer viruses or computer programs that can infiltrate computer systems, and/or damage software component(s) of school equipment will not be allowed
15. Transmission or accessing materials that are obscene, offensive, threatening or otherwise intended to harass or demean recipients and transmission of inappropriate music.

DDN USE: Students enrolled distance learning or other E-learning media will adhere to all rules and regulations established. A written contract will be signed and on file prior to the start of class.

USE OF ELECTRONIC DEVICES: Pagers, MP3 Players, IPOD’s, videogames, laser pointers or any other personal electronic devices (with the exception of calculators) are not to be worn or used in school during school hours unless permission is granted from teachers. Devices such as cell phones and pagers, if brought to school must be kept in students’ locker. Cell phones are not to be used during school hours without permission from the administration. Students who need to make phone calls during the school day are to report to the office and arrangements will be made to meet their needs. PDAs and other handheld computers may be used for educational purposes with the approval of the teacher and administration. Such items will be confiscated and may be returned at the end of the school day. If a student receives a third violation during the school year the device will be returned to the student’s parents upon the parents coming to school to pick it

up. The only allowed exception to this policy is for adaptive equipment used for educational purposes.

VIOLATIONS AND CONSEQUENCES: Violations of school district policy or the law through the use of the school district's e-mail and Internet access may result in disciplinary action. Disciplinary action may be suspension or revocation of email and/or internet privileges, detention, in-school suspension, out-of school suspension, or expulsion. Students shall be afforded due process consistent with school district policy and state law. Suspected violations of law shall be reported to the proper authorities.

CHILDREN'S INTERNET PROTECTION ACT: It is the policy of McLaughlin Schools to: (a) prohibit user access over its computer network to, or transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications; (b) prohibit unauthorized access and other unlawful online activity; (c) prohibit unauthorized online disclosure, use, or dissemination of personal identification information of minors; and (d) comply with the Children's Internet Protection Act [Pub. L. No. 106-554 and 47 USC 254(h)].

Adopted Date: November 26, 2012

USE OF COMPUTERS, NETWORKS, E-MAILS AND ELECTRONIC DEVICES**Parents/Guardians' Agreement**

As parent/guardian of the student who has signed above, I have read the school district's Policy on Computers, Networks, E-mails and Electronic Devices. I understand that the school district's Internet use is designed for educational purposes. Further, I recognize it is possible that my child may procure material that is not consistent with the educational goals of the district. I hereby give my permission to the school district to provide Internet access for my student.

STUDENT(S) NAME(S): _____

DATE _____

PARENT/GUARDIAN SIGNATURE _____

Student's Agreement

I understand and will voluntarily abide by the school district's Acceptable Use Policy on Computers and Networks. I further understand that any violation of this policy may result in the loss of my Internet access privileges and school disciplinary action may be taken. The signature on this document indicates that I have read the school district's Acceptable Use Policy, understand its significance, and voluntarily agree to comply fully with all its terms and conditions.

DATE _____

STUDENT'S SIGNATURE _____

Adopted Date: November 26, 2012

FILE: H-6 GRADING SYSTEMS

It is the philosophy of this Board that students will respond more positively to the opportunity for success than to the threat of failure. The District, therefore, will seek to make achievement both recognizable and possible for its students, and will emphasize achievement in its processes of evaluating student performance.

The grading system will evaluate and record student progress. These records and reports of individual students will be kept in a form which will be meaningful to parents as well as teachers. The grading system will be uniform district wide and at comparable grade levels. A marking system of letter grades will be used as follows: A (100-93); B (92-85); C (84-77); D (76-69); F (68-0).

The Board will approve the grading and reporting system as developed by the faculty, upon the recommendation of the superintendent. The Board will support administration and professional staff efforts to find better ways to measure and report student progress.

The Board recognizes that any grading system, however effective, is subjective in nature, but will urge all faculty members to conduct student evaluations as objectively as possible.

Adopted Date: November 26, 2012

FILE: H-7 STUDENT PROGRESS REPORTS TO PARENTS

The Board feels that it is essential for parents to be kept fully informed of their children's progress in school. The type of progress reports sent to parents will be devised by the professional staff. Report cards will be uniform throughout the district at comparable grade levels except as special forms may be developed for special programs or new forms tried out on a temporary basis. Report cards will be distributed on a nine-week basis. Supplementary reports will be required for students in danger of failure. Conferences with parents also will be used as an integral part of the reporting system.

Adopted Date: November 26, 2012

FILE: H-8 HOMEWORK

The Board believes that homework, as long as it is properly designed, carefully planned, and geared to the development of the individual student, meets a real need and has a definite place in the educational program. The assignment of homework will follow these basic guidelines:

1. Homework should be a properly planned part of the curriculum, extending and reinforcing the learning experience of the school.
2. Homework should help children learn by providing practice on the mastery of skills, experience in data gathering and integration of knowledge, and an opportunity to remediate learning problems.
3. In assigning homework, a teacher should consider a student's age and mastery of skills; need for play time; and/or, out-of-school responsibilities and activities, which often aid a student in developing his/her interests or tastes. However, the homework grade is dependent on performance by the student.

Adopted Date: November 26, 2012

FILE: H-9 PROMOTION AND RETENTION OF K-8 STUDENTS

The administration and teaching staff must strive to create plans of instruction and instructional organization that will permit students to progress through kindergarten, elementary, and middle 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 and remedial work.

In all cases of retention, parents must be informed of such possibility well in advance (usually by the end of the third report period) and a conference with them sought. In all instances, the advice and help of the guidance counselor and other special school personnel will be used by teachers and the administrator.

Although teachers may recommend retention, all retentions (as well as promotion) will be approved by the school principals. Teachers, in recommending retentions, and principals, in approving them, will give the reasons why they feel the student should repeat. If the parent(s)/guardian(s) disagree with the decision of the principal to retain a student the parent(s)/guardian(s) may appeal that decision to the superintendent. If the superintendent agree with the principal that the student should be retained the parent(s)/guardian(s) may appeal that decision to the school board.

The principal will take particular care in approve more than one retention during a child's elementary school life. The superintendent must also approve a second retention of any student between kindergarten and 8th grade, inclusive.

Adopted Date: November 26, 2012

FILE: H-10 TEACHING ABOUT CONTROVERSIAL ISSUES

Training for effective citizenship is accepted as one of the major goals of the district's schools. The instructional program developed to achieve this purpose properly places great emphasis upon teaching about our American heritage, respect for our established institutions, the rights and privileges we enjoy as citizens, and the citizenship responsibilities that must be assumed in maintaining our American way of life.

To enable students to learn how to become effective citizens, the public schools have an obligation to prepare them for intelligent and conscientious participation in a democratic social order. Such participation requires that students have the opportunity to become cognizant of public issues; to learn the skills of analyzing current problems and arguments; to distinguish between fact and opinion; to gather and organize pertinent facts; and to respect the opinions of others. The schools have the additional responsibility of providing students the opportunity to identify, form and express their own opinions on controversial issues.

Teachers shall adhere to the following guidelines for selection and study of controversial issues in the classroom:

1. The topic and method used in its study should contribute toward helping students develop techniques for examining other controversial issues.
2. The issues should be appropriate to the maturity level background of the students in the class.
3. The issue should be related to the course content and help achieve course objectives.
4. A balanced and fair presentation of the issue should be presented.

Teachers desiring to bring resource people into the class to discuss a particular viewpoint on a controversial issue must first obtain the endorsement of the principal. Care must be taken by the teacher not to expose any one viewpoint as more acceptable than another.

Adopted Date: November 26, 2012

SECTION I: STUDENTS

FILE: I-1 EQUAL EDUCATIONAL OPPORTUNITIES

All students of the district will have equal educational opportunities. The Board will not discriminate on the basis of race, color, creed, religion, sex, disability, economic status, national origin, or ancestry in its policies or programs.

To accomplish this policy on nondiscrimination, the Board will provide all students of the McLaughlin School District equal access with respect to educational opportunities and participation in school-sponsored programs or activities unless otherwise allowed by law (i.e., such as laws related to special education which required individualized educational programs and laws related to student suspension and expulsion).

Adopted Date: November 26, 2012

FILE: I-2 COMPULSORY ATTENDANCE AGES

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 having control of a child, who is not younger than five or older than six years old by the first day of September, or any child who, by the first day of September, is at least six years old, but who has not exceeded the age of eighteen, shall cause the child to regularly attend some public or nonpublic school for the entire term during which the public school in the district in which the person resides, or the school to which the child is assigned to attend, is in session, until the child reaches the age of eighteen, unless the child has graduated or is excused as provided in state law.

A student who is at least sixteen years of age may enroll in a general education development test preparation program that is school-based or for which a school contracts and the child successfully completes the test or reaches the age of eighteen years.

A child is eligible to enroll in a school-based or school-contracted general education development test preparation program or take the general education development test if the child is sixteen or seventeen years of age and the child presents written permission from the child's parent or guardian and one of the following:

1. Verification from a school administrator that the child will not graduate with the child's cohort class because of credit deficiency;
2. Authorization from a court services officer;
3. A court order requiring the child to enter the program;
4. Verification that the child is under the direction of the Department of Corrections; or
5. Verification that the child is enrolled in Job Corps as authorized by Title I-C of the Workforce Investment Act of 1998, as amended to January 1, 2009.

Any child who is sixteen or seventeen years of age and who completes the general education development test preparation program may take the general education development test immediately following release from the school program or when ordered to take the test by a court. Any such child who fails to successfully complete the test shall re-enroll in the school district and may continue the general education development preparation program or other suitable program as determined by the school district.

Adopted Date: November 26, 2012

LEGAL REFS: SDCL: 13-27-1; 13-27-1.1 13-27-2; 13-27-3; 13-27-11; 13-27-12;13-27-16; 13-32-4.1

FILE: I-3 SCHOOL ADMISSIONS

In accordance with state law, all persons over five and under 21 years of age and all veterans (except dishonorably discharged veterans) who are residents of the district will be 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. Proof of date of birth.
2. Record of immunization and a health certificate from a licensed physician.
3. Proof of residency, if requested.

Adopted Date: November 26, 2012

FILE: I-4 ADMISSION OF RESIDENT STUDENTS

The legal residence of a student, for the purpose of claiming free school privileges 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. Within thirty days of the student's enrollment, the McLaughlin School District shall determine the student's residency within the school district for purposes of receiving free public education. Thereafter, 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.

If a school age child who is not a resident of the McLaughlin School District, as determined by the residence of the child's parent(s) or guardian(s), on a temporary or permanent basis, the school residency of the child is where the parent(s) or guardian(s) reside unless, upon request of the person with whom the child is living, the McLaughlin School Board accepts the child as a resident of the McLaughlin School District. If the school board rejects the request, the person who made the request may, within fifteen days after receipt of the rejection, appeal to the school board for a hearing. The decision of the school board after the hearing is final and may be appealed to the circuit court. However, a school age child is a resident of the school district where the school age child is placed by the Unified Judicial System, the Department of Corrections, or entities approved by the Department of Social Services, including a foster home.

If a child who is a resident of the McLaughlin School District is excused from school attendance pursuant to SDCL 13- 27-2, the McLaughlin School District shall admit that child to public school in the district upon request from the child's parent or legal guardian. A child enrolled in the school district pursuant to this provision may be enrolled in the school district on only a partial basis and also continue to receive alternative instruction pursuant to SDCL 13-27-3.

Adopted Date: November 26, 2012

LEGAL REFS: SDCL: 13-28-9; 13-28-10; 13-28-51

FILE: I-5 OPEN ENROLLMENT POLICY

The parent or legal guardian of a South Dakota kindergarten through twelfth grade student resides in another school district and who wishes to enroll their student the McLaughlin School District must apply to open enroll in the McLaughlin School District.

General Guidelines:

1. All requests for open enrollment to a nonresident district must be submitted to the Superintendent of Schools on the official application form provided by the South Dakota Department of Education.
2. Nonresident student open enrollment applications to attend school within the McLaughlin School District will be reviewed by acting on applications in the order in which they are received.
3. Transfers to a school district other than the resident school district under the provisions of §§ 13-28-40 to 13-28-47, inclusive, may only take place prior to the last Friday in September during the first semester of any school year, and prior to the last Friday in January during the second semester of any school year. If a school district approves an application for such a transfer after the deadline in the first semester, the transfer will occur at the start of the second semester. If a school district approves an application for such a transfer after the deadline in the second semester, the transfer will occur at the start of the following school year. However, the deadlines for transfer do not apply if:
 - a. A student is seeking to transfer to an alternative school or a specialized nonpublic educational program;
 - b. A student enrolls in a school district after the deadline in either semester; or
 - c. The receiving school district school board or the board's designee determines that special circumstances exist and allows a student to transfer after the deadline.
4. The Superintendent of Schools shall approve or disapprove the application and shall notify the applicant and the resident board, if applicable, of its decision within five days of the decision. The decision of the Superintendent of Schools regarding a student's application for open enrollment or a request to return to the resident district may be appealed. Appeal of a decision by the Superintendent may be directed to the School Board. The decision of the School Board regarding a student's application for open enrollment or a request to return to the resident district is subject to appeal to circuit court pursuant to SDCL 13-46.
5. Decision to accept or reject open enrollment applications will be based on the criteria listed under "Open Enrollment Application Standards" in this policy. The applicant and the resident school board will be notified within five days of the decision.
6. An application may be withdrawn by the applicant prior to the approval of the request and upon written notification to the Superintendent of the McLaughlin School District.
7. Once approved by the McLaughlin School District, the approved application serves as the applicant's notice of intent to enroll in the McLaughlin School District and obligates the student to attend the nonresident district during the school year, unless the affected school board or boards or the board's designee agree in writing to allow the student to transfer back to the resident district or assigned school, or unless the parents, guardians, or emancipated student change residence to another district.

8. Once enrolled under open enrollment in the McLaughlin School District, the student may remain enrolled and is not required to resubmit annual applications.
9. The parent or legal guardian of a student who has been accepted for transfer under open enrollment is responsible for transporting the student to and from school without reimbursement.
10. A copy of this policy will be personally given to or mailed to parents and guardians who submit an open enrollment application and to any person upon request.

OPEN ENROLLMENT APPLICATION STANDARDS:

The following standards will be used to accept or reject applications for open enrollment:

1. Open enrollment requests will be granted on a space available basis at the time the request is considered. Class size, program capacity, grade level, and building capacity restrictions are necessary in order to allow room in schools for students who move into the assigned school attendance area. The approval of an open enrollment request may not result in exceeding the average student to teacher ratio, program capacity, or building capacity criteria listed below. The ratios listed for grade level student to teacher ratios are for open enrollment purposes only. Actual class sizes may be above these ratios because of students living in the school attendance area.
 - a. Kindergarten through grades five: The student to teacher ratio shall not exceed 28 students in grade level as a result of open enrollment.
 - b. Grade six through grade eight: The student to teacher ratio for core classes may not exceed 30 students as a result of open enrollment.
 - c. Grade nine through grade twelve: Enrollment may not exceed building capacity.
 - d. An open enrollment transfer may not cause a building or program to exceed capacity, including special education programs.
 - e. Open enrollment of a special education student will not be approved if the students cannot be accommodated at current staffing levels or the program is at capacity.
2. If two or more students from the same family residing in the same household request open enrollment into the District, all requests from that family must be either approved or denied and the District shall not deny an application if doing so would result in children from the same household enrolling in different school districts (except that if the District cannot provide an appropriate education for a child in need of special education or special education and related services the District may deny that child's application for open enrollment).
3. Any student under long term suspension or expulsion may not be allowed to open enroll until the suspension or expulsion is completed.
4. The rules of the South Dakota High School Activities Association will govern eligibility for participation in activities.

OPEN ENROLLMENT OF SPECIAL EDUCATION STUDENTS:

1. A request to transfer a student in need of special education or special education and related services may be granted only if, after a review of all relevant student education records and direct communication with the student's parent or guardian and representatives of the resident district, the District determines that the district can

- provide an appropriate instructional program and facilities, including transportation if required as a related service, to meet the student's needs.
2. If the request to transfer is granted, the 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. If the student requires transportation as a related service, the district shall provide or ensure the provision of transportation within the boundaries of the District.
 3. If the District special education administration is not able to confirm the provision of an appropriate instructional program, facilities, and transportation if necessary, based on the records review and communication with the student's parent or guardian and representatives of the resident district, the District must initiate an individual education program team meeting consisting of representatives from the resident district and the District to determine whether the District can provide an appropriate instructional program, facilities, and transportation necessary.
 2. A request to transfer a student in need of special education or special education and related services may be denied only pursuant to SDCL 13-28-44 or if an individual education program team consisting of representatives from the resident district and District determine that the District cannot provide an appropriate instructional program and facilities, including transportation, to meet the student's needs.
 3. If a parent or guardian of a student in need of special education or special education and related services request to transfer the student back to the resident district, the affected school boards, or the boards' designees must agree in writing to allow the student to transfer back to the resident district or unless the parents, guardian, or emancipated student change residence to another district.
 4. If two or more students from the same family residing in the same household request open enrollment, and the District determines it can provide an appropriate special education or special education and related services for one or more of the students and after consideration of the open enrollment standards, the applications shall be approved. However, if the District cannot provide appropriate special education or special education and related service for one or more of the students in need of special education or special education and related services, the District may deny the application for open enrollment related to the special education student.
 5. If it is determined that a parent or guardian of a student in need of special education or special education and related services submitted a request for an open enrollment transfer, but did not indicate on the application that the student has an IEP and needs special education services, approval by the District of the open enrollment transfer application and any subsequent approval of that application will be deemed void.

Adopted Date: November 26, 2012

LEGAL REFS: SDCL 13-28-40 through 13-28-47

FILE: I-6 PLACEMENT OF STUDENTS WHO HAVE ATTENDED AN UNACCREDITED SCHOOL OR ALTERNATIVE PROGRAM

To be in compliance with SDCL 13-27-29 the school district hereby adopts the following policy statement and procedures.

Policy Statement: It is the policy of the school district to provide a free and appropriate public education for all eligible students enrolling in the school district. For those students who have attended an unaccredited school or alternative program, and enroll in the school district, the following procedures shall apply to ensure appropriate grade placement and to determine units of credit for graduation purposes.

Procedures

I. Procedures for appropriate grade placement for school age students in grades 1 through 8 who have attended an unaccredited school or alternative program:

- a. The superintendent shall appoint a grade placement committee consisting of the elementary principal, school counselor, a classroom teacher(s) that teach students of the same chronological age as the student being placed, and a school psychologist to interpret assessment data. The student's parent or guardian shall have the opportunity to participate at grade placement meetings to provide information and to clarify any questions the committee may have. The parents or guardian shall be ex-officio members, without having a vote in placement decisions pursuant to Sections I and II of this policy or Section IV pertaining to override recommendations.
- b. The grade placement committee shall ensure that the student enrolling has completed one achievement test selected by and administered by the school district.
- c. The proficiency standard for grade (1-8) placement shall be based on the student's Complete Battery (composite) state achievement score. The student's Complete Battery (composite) state achievement score shall not be more than one standard deviation below the class mean Complete Battery (composite) state achievement score.
- d. If the student's achievement test scores reflect a severe discrepancy of more than 1.5 standard deviation between achievement and intellectual ability, the grade placement committee may make a referral for consideration of special education services.
- e. The grade placement committee shall ensure that a student's placement shall not be in a grade level higher than warranted by the student's chronological age assuming entry into the first grade at age six and annual grade advancement thereafter.
- f. After initial placement the student may be advanced according to his/her demonstrative performance.
- g. A parent or guardian dissatisfied with the grade placement committee's determination may appeal the decision to the school board.
- h. A parent or guardian dissatisfied with the school board's decision may appeal the decision to the Secretary of the Department of Educational and Cultural Affairs.

II. Procedures for appropriate grade placement and determining units of credit for high school age students who have attended an unaccredited school or alternative program:

- a. The superintendent shall appoint a grade placement committee consisting of the high school principal school counselor, a classroom teacher(s) that teach students of the

- same chronological age as the student being placed, and a school psychologist to interpret assessment data. The student's parent or guardian shall have the opportunity to participate at grade placement meetings to provide information and to clarify any questions the committee members may have. The parents or guardian shall be ex-officio members, without having a vote in placement decisions pursuant to Sections I and II of this policy or Section IV pertaining to override recommendations.
- b. The grade placement committee shall ensure that the student enrolling has completed one achievement test selected by and administered by the school district.
 - c. The grade placement committee shall have the authority to approve units of credit for English and Mathematics based on the student's composite Subtest achievement scores in Reading (English) and Mathematics.
 - d. The proficiency standards for granting units of credit for the subjects of English and Mathematics shall be the student's composite Subtest state achievement scores for each subject area. The composite Subtest state achievement scores shall not be more than one standard deviation below the class mean Subtest state achievement scores for each subject area being considered.
 - e. If the student's achievement test scores or minimum competency test results reflect a severe discrepancy of more than 1.5 standard deviation between Achievement and Intellectual Ability, the grade placement committee may make a referral for consideration of special education services.
 - f. The grade placement committee shall have the authority to grant units of credit for lower level courses in the subjects English and Mathematics provided the student's Subtest state achievement scores for each subject meet or exceed the proficiency standard for granting units of credit at a higher level. For example, if the student's Subtest state achievement score meets the proficiency standard to be placed in English III, the committee may grant units of credit for English I and English II.
 - g. In order to receive units of credit for subjects other than English and Mathematics the grade placement committee shall have the authority to direct classroom teachers, who are teachers of the selected subjects, to develop minimum competency tests for their particular subject areas.

III. The committee shall ensure:

- a. Prior to taking a minimum competency test, the student shall receive a course outline, syllabus, or plan of study, text books, and any other curriculum material that describes the course requirements. Furthermore, the district shall notify the student of the school district's proficiency standard for passing the subject.
- b. The student shall have the opportunity to complete the minimum competency test within one year (12 months) from the date the student enrolled in the school district.
- c. The student completing the minimum competency test shall have an individual test score that meets or exceeds the school district's acceptable proficiency standard for passing the subject prior to granting a unit of credit.
- d. If the student does not receive a passing score on the minimum competency test, the student shall have the opportunity to retake a comparable version of the minimum competency test one year (12 months) after the date of the first test or complete the course requirements at an accredited summer school program.

- e. All students who have attended an unaccredited school or alternative program shall be required to complete the two unity requirements for lab science at the school district, another accredited school district, or at an accredited summer school program.
- f. The grade placement committee shall ensure that a student's placement shall not be in a grade level higher than warranted by the student's chronological age assuming entry into the first grade at age six and annual grade advancement thereafter.
- g. After initial placement the student may be advanced according to his/her demonstrative performance.

IV. A parent or guardian dissatisfied with grade placement committee's determination may appeal the decision to the school board. A parent or guardian dissatisfied with the school board's decision may appeal the decision to the Secretary of the Department of Educational and Cultural Affairs.

V. The school district requires all high school students to successfully complete the following units of credit "(a credit is defined as successful completion of _____ semester/semesters, i.e. ½ credits are earned in a class for successful completion of one semester of course work.)"

- 1. _____ units of English/Language Arts including
 - a.
 - b.
- 2. _____ units of social studies including:
 - a.
 - b.
- 3. _____ units of mathematics
- 4. _____ units of laboratory science
- 5. _____ unit of computer science
- 6. _____ unit of fine arts; and
- 7. _____ units of electives.

VI. If the grade placement committee recommends that a student should be placed in a specific grade level or should receive a unit credit, even though the student does not meet the district's proficiency standards, the committee shall be required to include the following documentation in their report as justification for their recommendation to override the district's proficiency standards:

- a. The record shall contain documents that explain why the standards and procedures that are used with the majority of students resulted in invalid findings for this student.
- b. The record shall indicate what data were used to conclude that the student should be placed in a specific grade level or should receive a unit of credit. Examples of data that may be used include:
 - i. Other tests or evaluation scores;
 - ii. Student work products;
 - iii. Teacher testimonials;
 - iv. Previous tests;
 - v. Observational data, and
 - vi. Other developmental data.

- c. The record shall contain an explanation of why the data selected for recommending the override had greater relative importance than the achievement test data and minimum competency test data used by the district.
- d. Placement committee override recommendation shall include a sign-off by all committee members agreeing to override the proficiency standards adopted by the district. For those members who disagree with the override recommendation, a statement of why they disagree and their signatures shall be included.
- e. All override committee recommendations are subject to approval by the Superintendent.

Adopted Date: November 26, 2012

GRADE PLACEMENT COMMITTEE REPORT

Student _____ Date of Birth _____
 Address _____ Parent/Guardian _____
 Home Phone _____ Business Phone _____

I. Achievement test

Date of test _____

Test Administrator _____

Test Areas Individual Scores Class Mean Proficiency Acceptable State) Scores Standards

Composite Reading

Composite Math

Science

Social Studies

Composite

*Proficiency Standards are the student's individual State scores that are not more than one standard deviation below the Class Mean scores.

II. Minimum competency subject test:

Subjects Tested Student's Score Proficiency Standard**

Acceptable/Unacceptable

**Proficiency Standards are the school district's acceptable proficiency standards for passing a subject.

III. Results of achievement test data and/or minimum competency testing verify that the student has met the district's proficiency standards for the following grade placement and approval of units of credit (high school students):

Signatures of Grade Placement Committee:

 Principal Date Counselor Date

 Classroom Teacher Date School Psychologist Date

GRADE PLACEMENT COMMITTEE OVERRIDE RECOMMENDATION

Student _____ Date of Birth _____
 Address _____ Parent/Guardian _____
 Home Phone _____ Business Phone _____

I. Override recommendation:

II. To be completed by committee members:

1. Explain why the standards and procedures that are used with the majority of students resulted in invalid findings for this student.
2. What data were used to conclude that the student should be placed in a specific grade level or should receive a unit of credit?
3. Explain why the data selected for recommending the override had greater relative importance than the achievement test data and minimum competency test data used by the district.

III. Signatures of grade placement committee members agreeing with the override recommendation.

_____	_____	_____	_____
Title	Date	Title	Date
_____	_____	_____	_____
Title	Date	Title	Date

IV. List the names and positions of those committee members who are not in agreement with the override recommendations.

_____	_____
Name	Position
_____	_____
Name	Position

*Must attach a written statement of why they disagree with the override.

FILE: I-7 FOREIGN EXCHANGE STUDENT POLICY

The McLaughlin School District acknowledges the benefits of Foreign Exchange Student Programs. While there are benefits, it is the school district's responsibility to insure that such a program would not adversely affect any school program, student, family, or teacher. Therefore, the following rules and regulations will be followed.

1. The District will accept no more than four foreign exchange students per year. This number may be less if it would cause over crowding.
2. The District will work with only two sponsoring organizations in any one given year.
3. All sponsoring organizations must be listed on the most current Council on Standards for International Educational Travel (CSIET) Advisory List. The organization's status must be listed as "Full" with CSIET.
4. The student/host family must have prior approval from the school administration to be enrolled at McLaughlin High School. The host family, not the agency, must enroll the student.
5. Foreign exchange students must agree to be in attendance a minimum of one semester.
6. Foreign exchange students will follow all of the grading guidelines followed by all McLaughlin High School students.
7. Students who will be accepted for the first semester of study or the entire school year. They must be registered by August 1st. No foreign exchange students will be accepted only for the second semester of study without prior Board approval.
8. Schedules for the foreign exchange students will be created following a meeting with the host family, the school guidance counselor, and the high school principal.
9. Foreign exchange students must be of the ages 15 through 19 by September 1st of the school year they plan to attend.
10. Foreign exchange students will normally be placed at the grade level that most closely corresponds to their grade level in their home country.
11. Foreign exchange students will be allowed all rights and privileges provided to all other District students in relation to extra-curricular activities.
12. Foreign exchange students will receive a Certificate of Attendance showing the dates of attendance, courses taken, and the reason for discontinuance (i.e. end of school term, transfer, etc.).

Adopted Date: November 26, 2012

**FILE: I-8 POLICY ON ENROLLMENT, TRANSPORTATION, SCHOOL OF ORIGIN, AND THE
ELIMINATION OF BARRIERS FOR CHILDREN OR YOUTH EXPERIENCING
HOMELESSNESS INCLUDING UNACCOMPANIED YOUTH**

Homelessness is the condition and societal category of people who lack fixed housing, usually because they cannot afford a regular, safe, and adequate shelter. The term "homelessness" may also include people whose primary nighttime residence is in a homeless shelter, in an institution that provides a temporary residence for individuals intended to be institutionalized, or in a public or private place not designed for use as a regular sleeping accommodation for human beings.

The McLaughlin School District policy is to:

1. Enroll students experiencing homelessness, consistent with state and federal law, until all enrollment records may be secured, i.e. academic records, medical records, proof of residency, or other documentation;
2. Notify the Department of Social Services of any student who is subject to the statutory compulsory attendance law and who is experiencing homelessness;
3. For any homeless child enrolled in the McLaughlin School District strive to eliminate any stigmatization and any other identified barriers for homeless students; and
4. Prohibit decreased or denial of services based on the status of the student being homeless; and
5. Provide students experiencing homelessness with services comparable to services offered to other students in the school including but not limited to the following: (a) educational services for which the child or youth meets the eligibility criteria, such as services provided under Title I of the Elementary and Secondary Education Act of 1965 or similar State or local programs, (b) educational programs for children with disabilities, (c) educational programs for students with limited English proficiency, (d) transportation services, (e) programs in vocational and technical education, (f) programs for gifted and talented students, and (g) school nutrition programs.
6. A parent, student, employee, or district stakeholder who has a complaint regarding the use of federal NCLB funds and is unable to solve the issue, may address a complaint regarding the enrollment, transportation (including inter-district disputes), and other barriers to the education of children and youth experiencing homelessness may file a complaint pursuant to Policy ACA.

Parents, guardians, and unaccompanied youth may initiate the dispute resolution process directly at the school they choose, as well as at the district or district's homeless liaison's office. The parent or guardian or unaccompanied youth shall be provided with a written explanation of the school's decision including the rights of the parent, guardian, or youth to appeal the decision. Students should be provided with all services for which they are eligible while disputes are resolved.

Adopted Date: November 26, 2012

FILE: I-9 STUDENT WITHDRAWAL FROM SCHOOL

Student withdrawal from school may be classified into three categories: Those who transfer to another school system, either public or private, those who excused from attendance pursuant to SDCL 13-27-1.1 (religious exemption) or 13-27-2 and 13-27-3 (receiving alternative instruction), and those who withdraw from permanent attendance at any school (dropouts). If a parent or guardian wishes to withdraw a student from school to transfer to another school district the parent or guardian should contact the principal who will instruct him/her as to procedure. When transferring to another school, the parent or guardian should make arrangements with the office to forward records to the proper school.

Students who are residents of the McLaughlin School District and who have dropped out of school will be permitted to re-enroll. If re-enrollment is at any time other than the beginning of a semester, the student may not receive semester credit for the semester when the student re-enrolled due to the remaining period of time in the semester in which the student re-enrolled.

Adopted Date: November 26, 2012

FILE: I-10 STUDENT ABSENCES AND EXCUSES

A student's contribution to and achievement in class are directly related to attendance. Both students and parents must understand that students miss a vital portion of their education when they are absent from school. While it is true that written work can be completed for make-up, class instruction or presentations, discussions, some audio-visual presentations, or student-teacher interaction can never be made up.

Certain absences of students will be excused by the principal on receipt of a written, signed explanation from the parent or guardian. These absences will include:

1. Illness (including scheduled doctor appointments) or quarantine.
2. Bereavement or serious illness in family.
3. Weather so inclement as to endanger the health of the child.
4. For observance of major religious holidays.

A child may also be excused for other exceptional reasons with approval of the school administrator.

In instances of chronic or irregular absence reportedly due to illness, the school administration may request a physician's statement certifying such absences to be justifiable. Should a student be pregnant and be a participant in an extra-curricular activity the school administration may request the student or the student's parent to provide a physician's written statement indicating that such participation does not jeopardize the health of the student and further indicate such restrictions to participation as may be determined by the physician.

Any absence other than that excused absence as set forth above is considered unexcused and the student will be considered truant.

Students who know in advance of an anticipated excused absence are to inform the office prior to the absence to the maximum extent possible under the circumstances and schedule with the student's teachers the make-up work. Should the absence be an excused absence but unexpected the student shall be given one day for each day missed for the first two days in order to make up the missed school work. If three or more days are missed it is at the discretion of the teacher.

In cases of an unexcused absence, the student shall receive 75% credit for missed school work turned in, and the student shall be given one day for each day missed up to two days in order to make up the missed school work. If three or more days are missed it is at the discretion of the teacher. For purposes of this provision related to unexcused absences, an unapproved absence shall include in-school suspension and out-of-school suspension.

Adopted Date: November 26, 2012

LEGAL REFS: SDCL: 13-27-6; 13-27-6.1; 13-27-7; 13-27-8;13-27-9

FILE: I-11 TRUANCY

Through cooperation with parents, strict adherence to regulations in regard to tardiness and unexcused absence, and diligence in investigating the causes of absence, the Board will endeavor to reduce tardiness and truancy. Any person having control of a child of compulsory school age, who fails to have the child attend school as required by the provisions of this title, is guilty of a Class 2 misdemeanor for the first offense. For each subsequent offense, a violator of this section is guilty of a Class 1 misdemeanor. (SDCL 13-27-11)

The district's superintendent shall be the truancy officer and 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.

The district truancy officer shall make and file truancy complaints, and any teacher, school officer or any citizen may make and file a truancy complaint before the circuit court judge.

Adopted Date: November 26, 2012

LEGAL REFS: SDCL: 13-27-14; 13-27-16; 13-27-18 through 13-27-21; 13-27-24 through 13-27-28

FILE: I-12 STUDENT DISMISSAL PRECAUTIONS

The McLaughlin School District is responsible for student safety when at school. Students in any school, grade, or class may not be dismissed before the regular hour of dismissal except with the approval of the superintendent or 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 unless the permission of the custodial parent /guardian has been first secured.

The McLaughlin School District is also responsible for student safety when participating in school activities held at a location other than within the McLaughlin School District. Therefore, students participating in a school activity held at a location other than within the McLaughlin School District must return to the school on the school bus/school provided transportation unless:

1. The student presents to the coach/advisor the day of the activity prior to the student/team/group leaving school for the activity a note signed and dated by the student's parent/guardian or the coach, advisor, principal, or superintendent has received a phone call from the parent/guardian requesting that the student be allowed to ride home after the activity with the parent/guardian or other specifically identified adult. This prior authorization shall be required even if the student is 18 years old or older unless the student is not residing with the student's parent/guardian.
2. At the conclusion of the activity the coach or advisor shall not authorize the departure of the student to the adult specified in the prior authorization unless the coach/advisor meets the specified adult after the activity and the specified adults "signs out" the student.
3. Under no circumstances shall the coach/advisor authorize the student to leave with anyone other than the adult specified in the prior parent/guardian authorization.
4. In no case shall the coach/advisor authorize the student to leave with the specified adult if in the opinion of the coach/advisor that the specified adult may be under the influence of alcohol or illegal drugs. The coach/advisor shall immediately contact law enforcement should the specified adult become disruptive/argumentative as a result of the coach's/advisor's decision to not release the student to the adult as a result of the coach/advisor having reasonable cause to suspect that the adult is under the influence of alcohol or illegal drug.
5. If the student is to be dropped off by the school bus at a location other than the school, the student must present to the coach/advisor the day of the activity prior to the student/team/group leaving school for the activity a note signed and dated by the student's parent/guardian or the coach, advisor, principal, or superintendent has received a phone call from the parent/guardian requesting that the student be allowed to depart the bus at a location other than at school. This prior authorization shall be required even if the student is 18 years old or older unless the student is not residing with the student's parent/guardian. If the student is to depart the school bus at a location other than the school in order to drive home, the coach/advisor shall require the bus driver to remain at the location of the student's vehicle until the student's vehicle has started and left.

Adopted Date: November 26, 2012

FILE: I-13 RELEASED TIME FOR STUDENTS

The Board will permit students, with the written consent of their parents, to receive moral or religious instruction at a suitable place away from the school, as designated by the religious group. Students will be excused from school for such purposes no more than one hour per week. The Superintendent is instructed to establish regulations, governing the attendance of students and their reporting for such instruction. Students enrolled in the district normally will not be released from school for private instruction in music, gymnastics, or other activity. The discretion of the building principal, however, may be exercised in unique or unusual circumstances.

Adopted Date: November 26, 2012

LEGAL REFS: SDCL: 13-33-10

FILE: I-14 EXCLUSIONS AND EXEMPTIONS FROM SCHOOL ATTENDANCE

The law provides for the exemption of students of compulsory school age from attendance when the child is provided with competent alternative instruction for a like period of time as would be provided by the public schools.

The Board may issue a certificate of exemption for a student after an application for excuse has been made in writing. The certificate will state the reason for the excuse and the period for which it is issued. The Board may immediately revoke a certificate of excuse, if, upon inspection by the Secretary of the Department of Education, it is shown that the student is not being taught in compliance with the standards of the state law.

Upon revocation or denial of a certificate of alternative instruction, the parent or legal guardian may appeal the decision to the State Board of Education, which will conduct a hearing. The State Board's decision will be final.

Adopted Date: November 26, 2012

LEGAL REFS: SDCL: 13-27-3; 13-27-5; 13-27-8; 13-27-9

FILE: I-15 EXTRA CURRICULAR PARTICIPATION OF ALTERNATIVE INSTRUCTION STUDENTS

Students who participate in alternative instruction, i.e. who are home schooled, shall have the opportunity to participate in district co-curricular and interscholastic activities if they meet the requirements of state law, the South Dakota High School Activities Association, and district policy, including regulations specified in the student handbooks.

The purposes of these regulations are two-fold: (a) to allow alternative instruction students to participate in district co-curricular and interscholastic activities and (b) to offer alternative instruction students an opportunity to participate in district co-curricular and interscholastic activities while remaining fair and equitable to students who regularly attend school at the McLaughlin School District. Nothing in this section confers any vested right in any student wishing to participate in any interscholastic activity to be selected for competition in such activity.

As a condition of participation, the alternative instruction student in grades 9-12

1. Must have a completed and board-approved alternative instruction application on file with the McLaughlin School District;
2. Must demonstrate compliance with CHAPTER 1, PART IV — *Student Eligibility* — and CHAPTER II, PART I — *Further Eligibility for Athletic Contests* — of the *SDHSAA Eligibility Checklist for Alternative Instruction Students*. Compliance with this provision must be demonstrated annually.
3. Must be enrolled in the McLaughlin School District during the entire year in which the student participates in the extracurricular/co-curricular activity and
4. Must attend a minimum of two (2) academic class periods per day minute periods/per semester) at McLaughlin High School; and
5. Must meet jointly with the principal to finalize a class schedule.
6. The classes attended by the alternative instruction student must be classes that grant academic credit and one of which must include a 'core' course at the District (core courses are those within the areas of Science, Math, English and Social Studies); and
7. Must maintain passing grades in all classes enrolled in, not to exceed the number required of regularly enrolled students; and
8. Must remain in the two courses for the entire year, even if their preferred activity is held entirely within the fall or spring semester. Failure to remain in courses for the entire year shall eliminate their future eligibility for co-curricular/interscholastic activities.
9. Must meet all attendance requirements as outlined in District board policy.
10. Must on the day of participation in any interscholastic competition, the alternative instruction student must have attended both class periods that day in order to be eligible to compete in the contest.
11. Must be enrolled in the gradual progression of courses based on their previous enrollment if the alternative instruction student is choosing to participate in Vocal and Instrumental Music. (In order to be eligible to audition for and participate in a Region Music Contest, All-State Chorus, All State Orchestra or All-State Band, the student must currently be enrolled and attending the school district's parallel musical organization, i.e., vocal music, band, orchestra. This rule is identical to the rule that applies to all students attending a SDHSAA member school).
12. Must meet and follow all training rules and codes of conduct set forth by the District.

13. Must have an annual physical examination completed prior to participate on any athletic team.
14. Must be at least 14 years of age if entering the senior year of high school (the student will be classified as freshmen for course requirement purposes);
15. No student will have any athletic/fine arts eligibility after his or her 20th birthday as per SDHSAA Eligibility Requirements.
16. A student who leaves an accredited school for any reason to enter an alternative instruction program shall be ineligible for interscholastic competition for a period of one (1) year beginning on the date the student enters the alternative instruction program.
17. Any student, who was unable to maintain academic eligibility in an accredited school, shall be ineligible to participate as an alternative instruction student for a period of one (1) year. After one year, the student may regain eligibility per the school district's administrative policy.
18. Junior high students will be eligible for co-curricular/ extra-curricular activities in a commensurate fashion with the senior high regulations.

Adopted Date: November 26, 2012

FILE: I-16 STUDENT RIGHTS AND RESPONSIBILITIES

The Board recognizes that it has the responsibility to assure students the legal rights that are theirs by virtue of guarantees offered all persons under the federal/state constitutions and statutes. These rights, however, are not without limitations and students, while at school and at school activities, do not have the same degree of statutory and constitutional rights that they may have while not at school or at school activities or the same degree of statutory and constitutional rights as adults.

In connection with rights are responsibilities that must be assumed by students. A student is responsible for the way he/she exercises his/her rights, and must accept the consequences of his/her actions and recognize the boundaries of his/her rights. Each exercise of an individual's rights must demonstrate respect for the rights of others.

These rights and responsibilities of students in the public schools of the district include:

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; the responsibility to follow school rules and policies.
4. The right to privacy, which includes privacy in respect to the student's records.

Adopted Date: November 26, 2012

FILE: I-17 STUDENT DUE PROCESS RIGHTS AND STUDENT SUSPENSION/EXPULSION

Serious breaches of the expected standards of student behavior may result in suspensions or expulsions from school. Refer to the Student Council Policy, and to the Dangerous Weapons at School Policy as both address prohibited student conduct and which could result in a suspension and/or an expulsion. Principals are authorized to suspend pupils up to and including 10 school days, and the superintendent is authorized to suspend a student for up to 90 school days (SDCL 13-32-4.2). No pupil may be suspended unless:

1. The pupil is given oral or written notice of the charges against him/her.
2. The pupil is given an oral or written explanation of the facts that form the basis of the proposed suspension and
3. The pupil is given an opportunity to present his/her version of the incident.

Any suspension by a principal shall be immediately reported to the superintendent who may revoke the suspension at any time. In the event the chief superintendent suspends a student for longer than 10 days, the student shall be entitled to a hearing before the Board. Hearing procedures as established by State Regulations will be followed for all students subject to long-term suspensions or expulsion. The Board hearing shall be held as soon as reasonably possible, unless waived by the parents or guardians (or the student, if age 18 years old or older). No suspension longer than 10 days shall be implemented until the Board hearing, unless the hearing has been waived, or unless the judgment of the superintendent that the pupil's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process, in which case the student shall be immediately removed from school. Nothing above, however, shall limit the authority of the principal or superintendent to suspend the student for up to 10 days without a board hearing being required.

Discipline of students who are on an Individualized Education Program (IEP) shall be done in a manner consistent with the laws and regulations related to special education.

All students are entitled to due process when they are subject to suspension or expulsion or other disciplinary action. Due process procedures will conform to the following basic practices:

- a. Fairness
- b. Apply equally to all students, and
- c. Enforced in a fair manner, which includes adequate and timely notice and opportunity to prepare and present a defense in a meaningful manner, and the right to a speedy and impartial hearing on the merits of the case.

Adopted Date: November 26, 2012

FILE: I-18 STUDENT CONDUCT

Students in the District are expected to act in an appropriate and responsible manner. Such behavior will reflect favorably on the student and on the school, will show consideration for other students, school employees and guests at the school, and will create a positive school environment in which to learn and work. All students have individual responsibilities and obligations in their conduct toward other people and with respect to property. Examples of student conduct on school grounds, on school buses or at school activities which will subject a student to suspension, expulsion or other disciplinary action, and which may be reported to the legal authorities and subject to legal consequences, include, but are not limited to:

1. Causing or attempting to cause damage to school property, or stealing or attempting to steal school property.
2. Causing or attempting to cause damage to private property, or stealing or attempting to steal private property.
3. Causing or attempting to cause physical injury to another person, except in self-defense, or threatening to do so.
5. Threatening (verbal or physical) a student or staff member with bodily harm.
6. Possession of any firearm, knife, explosive or other weapon or dangerous object.
7. Possession, use, or being under the influence of any controlled drug or substance without a physician's prescription.
8. Possession, use or under the influence of alcohol or illegal drug or substance.
9. Possession or use of any tobacco product.
10. Making false fire alarms or bomb threats or similar threats.
11. Cheating (including plagiarism) with respect to school work or tests.
12. Inappropriate use of computers, networks, Internet, Distance Learning, etc.
13. Using lewd, profane or obscene language, or displaying lewd, profane or obscene language or pictures.
14. Sexually harassing any other person.
15. Defying the valid authority of school employees.
16. Conduct in a classroom, hallway, or any other location on school property or on a school bus which is disruptive.
17. Harassment (including hazing) of any other student or staff member of the McLaughlin School District or any other person who is on the property of the McLaughlin School District.
18. Bullying (to harm or to threaten to harm another student) is prohibited during the school day or at any school activity or function.

Copies of this policy shall be made available to parents and to all students, either through being reprinted in student handbooks or through some other means.

Adopted Date: November 26, 2012

FILE: I-19 STUDENT DRESS CODE

The responsibility for the dress and appearance of students enrolled in the McLaughlin School District primarily rests with parents/guardians and the students themselves. However, some student apparel may not be appropriate to wear to school even though that same apparel may be appropriate to wear in other settings. In general, students shall not dress or groom themselves in a manner that causes a disruption, poses a significant risk of a disruption to the orderly operation of the school, or subject other students to the presence of inappropriate clothing being worn at school.

One of the main objectives of the McLaughlin School District is to assist students in presenting themselves in a manner that promotes a positive and productive school environment, personal pride, academic success, and also to ensure the right of all students to not be subjected to inappropriate clothing worn by other students. The school, as a center of learning, shall provide for the development of habits and attitudes conducive to acceptable wearing apparel, and good grooming. Wearing apparel shall not be of the type that would detract from the primary purpose of the school, which is academic instruction, nor shall accessories carried by student to school be disrupting to the conduct of the school, have the potential of creating a serious risk of disruption, or hazardous to student welfare. Student's dress shall be modest, neat, clean, and in keeping with health, sanitary, and safety practices.

Inappropriate clothing and appearance are disruptive to the school program and the Principal's or Principal designees shall enforce compliance with this policy by those students within their jurisdiction. When it is determined that a student's clothing does not comply with the dress code, the student will be required to cover or change the article of clothing and a parent/guardian may be asked to bring an appropriate change of clothes to school. The student may, with parental/guardian permission, be sent home in order to change clothes. If the student refuses to cover the inappropriate clothing or is unable to change into appropriate clothing, the student will be placed in in-school suspension for the remainder of the school day. In addition, the student will also receive a disciplinary consequence for violating the school's dress code policy.

This policy does not apply to clothing provided to students by the school for student school activities.

Violations of this Policy: Violations of this policy shall be addressed with the following consequences:

First Offense: A warning will be issued to the student and will be recorded as a first offense. The student will be required to cover or change the article of clothing or the parent/guardian of student will be called asking them to bring an appropriate change of clothing. The student with parental/guardian permission may be sent home in order to change clothing. Any class time missed will be an unexcused absence. If for any reason a student refuses to comply with the directive to cover or change the inappropriate clothing the student will be placed in In-School Suspension for the remainder of the school day and is subject to Short-Term Suspension.

Second Offense: Parents/Guardians will be notified that their student has had a second offense of not following the proper dress code. The student will be required to cover or change the article of

clothing or the parent/guardian of student will be called asking them to bring an appropriate change of clothing. The student with parental/guardian permission may be sent home in order to change clothing. Any class time missed will be an unexcused absence. The student will be placed in In-School Suspension for the remainder of the school day. If for any reason a student refuses any of the above consequences the parents/guardians of that student will be notified and the student will be sent home that day as an unexcused absence and will be subject to Short Term Suspension.

Third Offense and Subsequent Offenses: Parents/Guardians will be notified that their student has had a third offense of not following the proper dress code. The student will be required to cover or change the article of clothing or the parent/guardian of student will be called asking them to bring an appropriate change of clothing. The student with parental/guardian permission may be sent home in order to change clothing. Any class time missed will be an unexcused absence. The student will be placed in In-School Suspension for the remainder of the school day. The student will be subject to Short Term Suspension for a Third Offense and subsequent offenses will subject the student to Long Term Suspension or Expulsion. If for any reason a student refuses any of the above consequences the parents/guardians of that student will be notified and the student will be sent home that day as an unexcused absence and will be subject to Expulsion.

Student Dress Code General Guidelines:

1. Undergarments may not be exposed.
2. The size of shirts and blouses shall be appropriate to the student's body size and shall not be unduly oversized or undersized.
3. Spaghetti straps and tank tops with appropriate neck lines, may be worn with an outer shirt covering, but may not be worn alone.
4. Halter-tops, midriff tops, tube tops, or clothing that exposes the upper torso are not allowed.
5. The size of the pants/jeans shall be appropriate to the student's body size and shall not be unduly "oversized and/or undersized."
6. Students may wear hemmed walking shorts, athletic shorts or Bermuda shorts but they cannot be shorter than the tip of the thumb when both arms are extended by the side.
7. Garments must be pulled up high enough to cover undergarments and backside.
8. The hem of girl's skirts or dresses shall not be shorter than the tip of the thumb when both arms are extended by the side.
9. Hooded sweatshirts will be allowed, but hoods of any type are not allowed to be up in the building.
10. All students shall wear appropriate shoes/footwear (no slippers).
11. Wearing and displaying any items that identify gang activity or gang association is prohibited (as gang activity/affiliation is determined by law enforcement).
12. Clothing encouraging the use of drugs, alcohol, or violence and clothing which refers to sexual conduct is prohibited.
13. Clothing associated with discrimination on the basis of age, color, handicap, national origin, marital status, race, religion, or sex is prohibited.
14. Clothing (or lack thereof) exposing any portion of the torso or upper thighs such as see-through garments, mini-skirts, or mini-dresses, halters, or backless dresses are prohibited.
15. Tube tops, tank tops, spaghetti straps or shirts and blouses that have necklines so low that they are provocative, are not allowed.

16. The mid section of the body shall have no skin exposed at any time.
17. Spandex-style “bicycle” shorts are not permitted.
18. Overalls worn with one or both straps unfastened are prohibited.
19. The wearing of sunglasses, gloves, caps, stocking caps, hoods, scarves, hairnets, or bandanas is prohibited from the time class begins to the time class ends during the school day.
20. The wearing of trench coats by students during school hours and at school activities is strictly prohibited.

Exemptions to the Dress Code Policy: Exemptions to the Dress Code Policy shall be permitted by the Principal upon appropriate documentation. In the event the wearing of clothing in compliance with the Dress Code violates a student’s sincerely held religious belief, or materially impacts a student’s documented medical condition, then such student and the student’s parent/guardian shall submit a signed affidavit setting forth the religious or medical issue and the requested exemption to the Dress Code Policy. The Principal may request additional documentation to substantiate the requested exemption and the student and student’s parent/guardian shall provide the additional documentation as requested. The Principal, within the reasonable exercise of his or her discretion, shall determine if an exemption to the Dress Code Policy is appropriate, and communicate that decision to the student and student’s parent/guardian.

Adopted Date: November 26, 2012

FILE: I-20 STUDENT CONDUCT ON SCHOOL BUSES

When a child is riding, boarding, or leaving the bus, the bus driver has supervisory authority over the student and may exercise reasonable and necessary physical force necessary for supervisory control over students.

Students shall conduct themselves on the bus, while waiting for the bus and when departing the bus in a manner consistent with the Student Conduct Policy. In cases when a child does not conduct him(her)self properly on a bus, such instances will be brought to the attention of the building principal and transportation supervisor by the bus driver. The building principal will inform the parents immediately of the misconduct.

Students who violate the school bus conduct policy and related school/bus driver rules may have their riding privileges suspended by the principal on a short term or long term basis. In such cases when bus riding privileges are suspended, the parents of the children involved are responsible for seeing that their children get to and from school.

Adopted Date: November 26, 2012
LEGAL REFS: SDCL 13-32-2, 13-32-4

FILE: I-21 SMOKING BY STUDENTS

The Board, recognizing health and safety hazards associated with smoking, prohibits smoking in the schools or on the school grounds.

Consistent with state law (SDCL 34-46-2), no student under the age of 18 and while on school property shall be in possession of any tobacco product. Consistent with School Board Policy, no student age 18 or older may use tobacco while on school property.

Adopted Date: November 26, 2012

FILE: I-22 DANGEROUS WEAPONS IN THE SCHOOL

State and federal law and board policy prohibits any person except law enforcement officers from the bringing of dangerous weapons to school or school sponsored activities, on school remises, including in any vehicle on school property, and at school activities at a site other than on school district property. A dangerous weapon is defined as any firearm, air gun, knife or device, instrument, which is calculated or designed or intended to or has the risk of inflicting death or bodily harm. For purposes of this policy, the term "firearm" includes any weapon which is designed to expel a projectile by action of an explosive, the frame or receiver of any such weapon, a muffler or silencer for a weapon, or any explosive, including any poison gas. This policy does not apply to starting guns while in use at athletic events, firearms or air guns at firing ranges, guns shows and supervised schools or sessions for training in the use of firearms. Any weapon taken from a pupil shall be reported to the pupil's parents and may be reported to the police. Discipline and/or legal action shall be pursued by the District.

Any student found to have a firearm on school grounds or at a school activity shall be expelled for not less than 12 months and will be referred to law enforcement authorities. The student, prior to the expulsion, shall be entitled to a hearing pursuant to the District's student suspension/ expulsion procedure. The superintendent shall have the authority to recommend to the school board that the one year expulsion be modified on a case-by-case basis.

Adopted Date: November 26, 2012

FILE: I-23 POLICY PROHIBITNG BULLYING**SECTION 1:**

The District is committed to maintaining a constructive, safe, and bullying-free school climate that is conducive to all students' educational opportunities and which fosters an environment in which all students are treated with respect and dignity. Bullying can inhibit a student's educational opportunities and may also have long-term negative effects on a student. Bullying of students shall not be tolerated and is strictly prohibited. Bullying by District students of other persons, including other students of the District, students of other schools who are at a District activity, school employees, guests, and visitors of the District shall also not be tolerated and is strictly prohibited.

This policy shall not be interpreted or applied to prohibit civil exchange of opinions or debate protected under the state or federal constitutions. However, conduct which substantially interferes with the work of the school, causes material and substantial interference with school work and discipline, and might reasonably have led school authorities to forecast substantial disruption of material interference with school activities is not constitutionally protected speech and is, therefore, prohibited under this policy.

This policy shall apply to persons on school property and at school activities and events on non-school property, including when the person is in any school vehicle or when in a private vehicle located on school property. The prohibition against bullying shall also apply to District students when not on school property or at a school event off school property when the bullying conduct results in substantial interference with the work of the school, causes material and substantial interference with school work and discipline, or reasonably causes school authorities to forecast substantial disruption of material interference with school activities.

District students who violate this policy shall be subject to appropriate disciplinary action, up to and including expulsion. Third persons who violate this policy may be prohibited from being on school property.

SECTION 2:**Definitions:**

1. Bullying: "Bullying" is defined as any physical, verbal, written or electronic conduct directed toward a student that is sufficiently severe and offensive to a reasonable person that it:
 - a. Has the purpose or effect of creating an intimidating, hostile or offensive school environment for one or more students, and/or
 - b. Has the purpose or effect of substantially or unreasonably interfering with a student's educational opportunities (i.e., academic, co-curricular activities, extra-curricular activities, and social opportunities, etc. within the school environment).
 - c. The definition of bullying specifically includes stalking, harassment and threatening/harassing contacts by telephone or other communication devices as set forth in SDCL 22-19A-1, SDCL 22-19A-4 and SDCL 49-31-31
 - i. SDCL 22-19A-1. Stalking: No person may:

- I. Willfully, maliciously, and repeatedly follow or harass another person;
 - II. Make a credible threat to another person with the intent to place that person in reasonable fear of death or great bodily injury; or
 - III. Willfully, maliciously, and repeatedly harass another person by means of any verbal, electronic, digital media, mechanical, telegraphic, or written communication.
- ii. SDCL 22-19A-4. Harasses defined. Harasses means a knowing and willful course of conduct directed at a specific person which seriously alarms, annoys, or harasses the person, and which serves no legitimate purpose
 - iii. SDCL 49-31-31. Threatening or harassing contacts by telephone or other electronic communication device. No person may use or knowingly permit a telephone or other electronic communication device under his or her control for any of the following purposes:
 - d. To contact another person with intent to terrorize, intimidate, threaten, harass or annoy such person by using obscene or lewd language or by suggesting a lewd or lascivious act;
 - e. To contact another person with intent to threaten to inflict physical harm or injury to any person or property;
 - f. To contact another person with intent to extort money or other things of value;
 - g. To contact another person with intent to disturb that person by repeated anonymous telephone calls or intentionally failing to replace the receiver or disengage the telephone connection.
 - h. Examples of bullying prohibited by this policy include, but are not limited to intentional or reckless verbal, nonverbal, physical, written or electronic conduct that:
 - i. Is threatening in nature (implied or explicit)
 - ii. Is demeaning in nature
 - iii. Causes fear, suffering, discomfort or injury to a student;
- 2. Electronic: "Electronic" is defined as any communication involving the transmission of
 - a. Information by wire, wireless broadband, radio, optical cable or similar means, and includes but
 - b. Is not limited to communication via electronic mail, internet-based communications, pager
 - c. Service, cell phones, land-line telephones, electronic text messaging or similar technologies.
 - d. Bullying through electronic means is often called "cyber bullying."
 - 3. Third Parties: "Third parties" is defined as persons, including but not limited to, school volunteers, school guests and visitors, students from other schools when at a McLaughlin School District activity, and contractors (including contractor's employees).

SECTION 3:

A. REPORTING PROCEDURE: Any individual who believes that he or she has been or is being subjected to bullying or has reason to suspect another person has been or being subject to bullying

should immediately report it to an adult at school. The report initially may be made verbally or in writing. The adult then must notify the principal in writing of the incidents that occurred within 2 days of the report. If the person making the complaint wishes the District to take disciplinary action against another person, the individual making the complaint will be required to either submit a signed written complaint or sign information reporting statement written by the person to whom the report was given and verifying the contents of the reporting statement. The written complaint or reporting statement must include the name of the person making the complaint, the person(s) alleged to have bullied the complaining party or another person, the date(s) and the specific conduct giving rise to the bullying complaint. The Principal shall investigate all written reported instances involving bullying.

B. PROCEDURE FOR ADDRESSING COMPLAINTS: The District strictly prohibits retaliation against any person because he or she has made, reported, testified, assisted, or participated in the investigation of a report of alleged bullying. Retaliation includes, but is not limited to, any form of verbal or physical reprisal or adverse pressure. The person(s) alleged to have bullied another person shall not directly or indirectly (such as through a third person) harass, pressure, or retaliate against any other person because of the complaint being reported and a violation of this provision may lead to separate disciplinary action based on the retaliation. Any person who believes he or she is being subjected to retaliation because of his or her involvement with complaint should immediately contact a school administrator.

1. Should there be a written complaint of bullying which alleges a McLaughlin School District student has been subjected to bullying or has bullied by a third person and the person alleged to have committed the bullying act(s) is subject to this policy, an investigation of the alleged incident(s)/behavior(s) will be initiated within two weeks. The District's investigation may include, but is not limited to, such things as interviewing individuals with actual or possible knowledge regarding the conduct in question, identifying facts related to the conduct in question, identifying when and over what period of time the conduct is to have occurred, determining whether the conduct negatively affects the educational opportunities of the victim (and if so, in what manner), identifying prior history of a similar nature by any of the individuals involved, and attempting to obtain possible verification and from other persons. If the alleged conduct may constitute a violation of SDCL 22-19A-1 (Stalking), SDCL 22-19A-4 (Harassment) or SDCL 49-31-31 (threatening or harassing contacts by telephone or other electronic communication device) the District shall notify local law enforcement or state's attorney.
2. The person alleged to have bullied another person will be notified verbally and in writing that a complaint has been filed pursuant to this policy and that the complaint is being investigated. The name of the person making the complaint will not be disclosed to the person alleged to have violated this policy unless the investigation results in a determination that there is reasonable cause to suspect that bullying did occur.
3. Pending the outcome of the investigation the Principal/Superintendent may take such action consistent with law as deemed appropriate in order to facilitate the investigation and protect the rights of all persons involved. If it is found that bullying did occur, the Principal may enact consequences prior to board notification, not to exceed 10 days of OSS.

4. Upon reasonable suspicion by the person responsible for the investigation that the allegation of bullying may be true, the student or third person accused of bullying conduct shall be notified in writing that reasonable suspicion exists that the complaint may be valid, a statement of the facts supporting the determination that reasonable suspicion exists, and the name of the alleged victim and complaining individual(s).
5. The District will maintain confidentiality to the maximum extent possible under the circumstances. However, a person reporting bullying conduct must understand that should the administrator investigating the complaint determine there is reasonable cause to suspect that bullying did occur which could result in administrative discipline or a referral to the Board of Education, the person alleged to have abused the other person has the right to know the identity of the person(s) making the complaint in order that he/ she may have an opportunity to defend himself/herself against the complaint.
6. The student alleged to have bullied another person in violation of this policy shall be afforded an opportunity to respond in writing but is not required to submit a written response.
7. At the conclusion of the investigation, the administration may up to the extent of administrative authority impose disciplinary action or alternatively refer the matter to the Board of Education. Should the administration impose discipline upon the student and not refer the matter to the Board, the student disciplined may file an appeal (grievance) directly with the Board of Education pursuant to the applicable grievance policy.
8. If the administration refers the matter to the Board of Education the student alleged to have bullied another person a hearing will be held before the Board of Education consistent with due process procedures.
9. If there is reasonable suspicion to believe that a third person bullied a McLaughlin School District student, employee or guest while at school or at a school activity on non-school property in violation of this policy, the administration may prohibit that person from being on school property or at school activities.

C. BOARD HEARING:

1. Should the matter be referred by the Administration to the Board, a formal hearing shall be held before the Board in executive session.
2. At the hearing, the Administration shall present evidence relative to the allegation of bullying and the student accused of violating this policy will have an opportunity to present evidence in his/her defense.
3. The standards of Due Process shall be adhered to at the Board hearing, including the right of the person accused of violating this policy to have representation and to cross-examine the complaining party.

D. BOARD DISCIPLINARY ACTION: If following the Board hearing the Board determines there has been a violation of this policy prohibiting bullying, Board action may include but is not limited to the following:

1. If the person found violating this policy is a student, the Board may suspend or expel the student from any or all school programs, including but not limited to classes, extracurricular activities, or attendance at school activities.

2. If the person found violating this policy is a third person that person may be prohibited from being on school property or at school activities for such time as may be determined by the Board.

Adopted Date: November 26, 2012

Revised Date: April 10, 2013

Date of Report: _____

Bullying Report

Name of victim		Reported to	
Name of alleged bully			
Date of incident			
Nature of the incident			

Signature of Victim	
Signature of Administrator	
Date reported to Superintendent	
Signature of Superintendent	
Date referred to School Board	

Action Taken

FILE: I-24 STUDENT RECORDS POLICY

The Family Educational Rights and Privacy Act (FERPA) afford parents and students who are 18 years of age or older ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 45 days after the day the District receives a request for access. Parents or eligible students should submit to the school principal a written request that identifies the records they wish to inspect. The school principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. Parents or eligible students who wish to ask the District to amend a record should write the school principal [or appropriate school official], clearly identify the part of the record they want changed, and specify why it should be changed. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing
3. The right to provide written consent before the school discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. A school official also may include a volunteer or contractor outside of the school who performs an institutional service of function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.
 - a. Upon request, the school discloses education records without consent to officials of another school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer. [NOTE: FERPA requires a school district to make a reasonable attempt to notify the parent or student of the records request unless it states in its annual notification that it intends to forward records on request.]
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the [School] to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office
 U.S. Department of Education
 400 Maryland Avenue, SW
 Washington, DC 20202

FERPA also permits the disclosure of PII from students' education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible student, §99.32 of the FERPA regulations requires the school to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures. A school may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student –

- a. To other school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in §99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(2) are met. (§99.31(a)(1));
- b. To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31(a)(2));
- c. To authorize representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency in the parent or eligible student's State (SEA). Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§99.31(a)(3) and 99.35);
- d. In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31(a)(4));
- e. To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to §99.38. (§99.31(a)(5));
- f. To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§99.31(a)(6));
- g. To accrediting organizations to carry out their accrediting functions. (§99.31(a)(7));
- h. To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8));

- i. To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9));
- j. To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10);
- k. Information the school has designated as “directory information” under §99.37. (§99.31(a)(11)). “Directory information” is student information in educational records which may be disclosed without prior written consent unless the parent or eligible student informs the McLaughlin School District in writing such information is not to be disclosed. The law authorizes the McLaughlin School District to identify what constitutes Directory Information which may be disclosed without prior written consent unless the parent or eligible student informs the McLaughlin School District in writing to not disclose any or all of the information designated as Directory Information.

The McLaughlin School District designates the following information as personally identifiable information contained in students’ education record. The following information may be released without prior written consent from the parent or eligible student (student age 18 or older) unless the parent or eligible student has given written notice that the information is not be disclosed without prior written consent.

- 1. Student’s name
- 2. Name of student’s parents
- 3. Student’s address
- 4. Student’s date of birth
- 5. Student’s class designation
- 6. Student’s extracurricular/co-curricular activities (and height and/or weight in sports activities)
- 7. Student’s height and/or weight
- 8. Student’s photograph

Parents and eligible students shall receive notice annually of their right to refuse the disclosure of any or all of the directory information. Except for the above designated directory information, all other confidential educational records shall not be released without prior written consent from the parent or eligible student or unless authorized or required by law.

Adopted Date: November 26, 2012

FILE: I-25 INTERROGATIONS AND SEARCHES**A. Searches by the staff**

The right and need of inspection of students' school lockers, desks and student personal property is inherent in the authority granted school boards and administrators for the purpose of ensuring student and employee safety and the enforcement of school rules and policies. Lockers and desks are school property which students have the privilege of using and students do not have a total right of privacy to the contents of their assigned lockers and desks and may be searched by school officials upon reasonable cause to suspect that the search will reveal evidence of a violation of a school rule and/or criminal law. The following rules apply to the search of school property assigned to a specific student (locker, desk, etc.) and personal property of students (clothing, book bags, gym bags, purses, etc.), and the seizure of items:

1. There must be reasonable cause and individualized suspicion (of the student's locker/desk/personal property) by school authorities to believe that an article kept in the locker, desk, clothing, book bag/gym bag, purse, etc. constitutes evidence of a crime and/or school rule violation.
2. Search of school property assigned to a student shall be for a specifically identified item, and shall be conducted in his/her presence and with his/her knowledge, unless an immediate perceived threat exists to safety of students and/or employees, and in such cases a search may be conducted without prior notice to the student and without the student being present.
 - ii. General housekeeping inspection of school property may be conducted with reasonable notice.
 - iii. Illegal items (drugs, weapons, etc.) or other possessions reasonably to be a threat to the safety or security of others may be seized by school authorities at any time.
 - iv. No strip searches (strip searches are defined as the removal of the layer of clothing immediately covering the skin/undergarment) shall be conducted by school personnel. Should school personnel believe that a strip search is necessary under the circumstances the school will immediately contact law enforcement, and the student shall remain in the immediate presence of a school official until a law enforcement officer arrives.
 - v. The school may, for purposes of conducting a search of school property assigned to a student or a search of a student, have a law enforcement officer present during the search.
 - vi. The school may request law enforcement to bring a drug-sniffing dog to school, without prior notice to students, for the purpose of identifying the presence of illegal drugs in school buildings, on school property, and student parking areas on and adjacent to school property. Searches of Student Property by Police Unless the school requests law enforcement officer presence and assistance when the school is conducting a search, the school will request from a law enforcement officer a search warrant prior to any search by a law enforcement officer of a student's personal property kept on school premises.

B. Police / Department of Social Services interview/questioning of students:

When students are at school or involved in a school activity off school ground, the school has an obligation to the students and their parents, as well as to authorities such as law enforcement and

the Department of Social Services. This policy balances the rights of students and parents with the rights and responsibilities of law enforcement and the Department of Social Services as those entities investigate juvenile delinquency/criminal matters and matters of child abuse and neglect.

It is therefore the policy of the District that

- (1) Should a law enforcement officer wish to talk with a student under the age of 18* while the student is at school and interview the student for a reason other than investigating suspected child abuse or neglect, or the law enforcement officer assisting the school in investigating a possible violation of a school rule, the District will not allow the law enforcement officer to question the student unless the school has first notified the student's parents and received permission from a parent for the student to talk with the law enforcement officer. The parents have the right deny the request from law enforcement. The parents shall also have the right to be present during the interview should permission be granted by parents for law enforcement officer to talk with the student.
- (2) Should the Department of Social Services (DSS) or a law enforcement officer (LEO) be investigating suspected child abuse or neglect and wish to talk with a student under the age of 18 while the student is at school, the request to talk with a student shall be in writing and given to the school. The DSS/LEO written request shall include the name of the person making the request, date of request, date of interview, and that the request is made for the reason of investigating suspected child abuse or neglect. South Dakota law requires investigation of suspected child abuse to be kept confidential and can be done without notification to parents. Therefore, the school will not notify parents of a request by the Department of Social Services or law enforcement to talk with a student in such instances.
 - i. Upon the student reaching the age of 18, the student is a legal adult and has the legal right to make decisions without parental involvement. However, the student, even if age 18 or older, may choose to contact his/her parents and/or attorney for advice before the student responds to a request by a law enforcement officer for the student to talk with the law enforcement officer.

Adopted Date: November 26, 2012

FILE: I-26 STUDENT GRIEVANCE POLICY & PROCEDURE

- a. A "grievance" is defined in as a complaint by a student (or parent on a student's behalf) based upon an alleged violation, misinterpretation, or inequitable application of any existing policies, rules, or regulations of the School District. The absence of or disagreement with existing policy, rules or regulations is not a "grievance" under this policy. The purpose of this policy is to outline a procedure for addressing a student grievance. Sexual harassment complaints are addressed through the Policy Prohibiting Sexual Harassment and not through this policy.
- b. It is the belief of the Board that often grievances arise as the result of a misunderstanding, which may be resolved through the mutual efforts of the person having the concern/complaint and the employee involved. For that reason, every effort should be made by all parties involved to resolve the concern or complaint at the lowest procedural level. It is only in those situations that the concern or complaint cannot be resolved to the mutual satisfaction of the complaining party and the employee that the administration and then ultimately the Board should be involved.
- c. When a complaint (grievance) is brought directly to the administration, Board or an individual Board member, the person having the complaint/ concern/grievance shall be directed to the procedure as set forth below. The following procedure is designed to ensure the proper balance in protecting the rights of the person(s) bringing the complaint and the rights of the person against whom the complaint is made. It is only when the concern/complaint/grievance cannot be mutually resolved at the complainant/employee level or not resolved at the administrative level will the Board become involved and act as a fair and impartial finder of fact and decision maker.

COMPLAINT PROCEDURE

1. A student or parent on behalf of the student having a complaint/grievance must first meet and discuss the concern with the employee involved.
2. (A) If the meeting between the person having the complaint and the employee does not resolve the concern or complaint, the person having the concern or complaint shall submit the complaint in writing to the principal (Appendix A - Complaint Form). The person making the complaint shall, with specificity, identify (1) the employee involved, (2) what the problem is, (3) who was offended by the employee's conduct, (4) when the problem started, (5) what transpired at the meeting held pursuant to paragraph #1, (6) what the person filing the complaint requests as a resolution to the concern/complaint, and (7) any other pertinent facts, such as witnesses, location of the incident giving rise to the concern/complaint, etc.
 - a. The principal will provide a copy of the complaint to the employee involved. The employee shall, within 5 working days, provide the principal with a written response to the complaint. The person filing the complaint shall receive a copy of the employee response.
 - b. The principal will schedule a meeting between the complainant, employee and principal, with the meeting to be held within 10 days of the complainant receiving a copy of the employee's response.

- c. Within 10 days after the meeting between the complaining party, employee and principal, the principal shall make a determination as to the merits of the complaint and administrative resolution. The person filing the complaint and the employee shall receive written notification of the principal's determination/resolution.
3. If the complaining party or employee is dissatisfied with the principal's determination/resolution, he or she may, within 10 days of receiving the principal's written decision, appeal the decision to the Superintendent of Schools. The appeal shall be in writing (Appendix B - Appeal To Superintendent).
 - a. (A) The Superintendent shall review documentation relative to the appeal and at his or her discretion, may (1) meet with the complainant and employee, (2) meet with the complainant, employee and principal, (3) discuss the matter with the principal, and shall (4) uphold, reverse, or modify the principal's decision based on the record (i.e., the written complaint, employee response, and principal's written determination) or refer the matter directly to the Board.
 - b. Within 15 school days from the date the appeal was filed with the Superintendent, the Superintendent shall in writing, with copies provided to the complainant, employee and principal, either uphold, reverse or modify the principal's decision, or give notice the matter has been referred to the Board.
 - c. Should the complainant or employee be dissatisfied with the Superintendent's decision, he or she may appeal the decision to the Board of Education. The appeal shall be in writing (Appendix C - Appeal To Board Of Education) and must be filed with the Business Manager within 10 days of the Superintendent's decision being received.
4. Upon receipt of an appeal to the Board, the Board, at its next meeting shall (a) schedule a hearing before the entire Board or (b) appoint as an Appeal Board a sufficient number of Board members necessary to conduct official business who shall be responsible for scheduling and conducting the hearing. The following procedure shall be applicable at a Board hearing:
 - a. The hearing shall be in executive session.
 - b. Both parties have the right to be represented at the hearing.
 - c. The issue on appeal is whether the Superintendent's decision should be upheld, reversed or modified.
 - d. Both parties shall be given the opportunity to make an opening statement, with the party appealing the Superintendent's decision being give first opportunity. The party appealing the Superintendent's decision shall present his or her case, followed by the other party. Both parties shall have the opportunity to ask questions of the other's witnesses.
5. The Board may ask questions of any witness, or may ask the principal and/or Superintendent questions, in order to attempt to get a better understanding prior to making any decision on the complaint.
6. Both parties shall be given the opportunity to make a closing statement, with the party appealing the Superintendent's decision being give first opportunity.
7. After the evidentiary portion of the hearing, everyone will be directed to leave the room except for the Board (and the Board's legal counsel if applicable) and the Board will review the evidence presented.

8. The Board will reconvene in open session and a motion to uphold, reverse, or modify the Superintendent's decision shall be made and voted upon. [The Board may in its discretion continue the proceedings and make a decision at a later date]. The findings and decision consistent with the Board motion shall be in writing and the complainant, employee, Principal and Superintendent will receive copies after the same are approved by the Board at the next subsequent Board meeting.
9. Any party dissatisfied with the Board/Appeal Board decision may appeal the decision by filing an appeal to circuit court pursuant to SDCL 13-46-1.

NOTE:

1. Should the complaint/grievance be filed as the result of a decision by a Principal, the procedure as set forth in #1 and #2 above shall be followed, except that the Superintendent shall be the administrator addressing the concern/complaint, and an appeal of the Superintendent's decision may be filed with the Board of Education.
2. Should the complaint/grievance be filed as the result of a decision by the Superintendent, the procedure as set forth in #1 and #2 above shall be followed and the Board will designate an individual (such as but not limited to a retired school administrator, school board member or school administrator from another school district) to be the administrator addressing the concern/complaint and an appeal of the administrative decision may be filed with the Board of Education.

Adopted Date: November 26, 2012

APPENDIX A - COMPLAINT/GRIEVANCE FORM

DATE FILED: _____

PERSON FILING THE COMPLAINT: _____

ADDRESS/PHONE # (HOME, WORK): _____

EMPLOYEE INVOLVED: _____

NATURE OF COMPLAINT/GRIEVANCE (with specificity, identify what happened, when, where, the person(s) offended by the employee=s conduct and how/why he or she was offended, etc.):

[illegible]

(use additional sheets if necessary)

AT THE MEETING HELD PURSUANT TO STEP 1, WHEN WAS IT HELD, WHAT HAPPENED AT THE MEETING AND THE OUTCOME OF THE MEETING:

(use additional sheets if necessary)

RESOLUTION REQUESTED:

Date

Complaining Party

APPENDIX B - APPEAL TO SUPERINTENDENT

DATE FILED: _____

APPEAL OF THE PRINCIPAL'S DECISION IS MADE FOR THE FOLLOWING REASON(S) [WITH SPECIFICITY, STATE HOW OR WHY THE PRINCIPALS DECISION IS BELIEVED TO BE WRONG] :

[illegible]

ATTACH A COPY OF THE COMPLAINT FILED (FORM A) WITH THE PRINCIPAL, THE EMPLOYEE(S) WRITTEN RESPONSE, AND THE PRINCIPAL'S DECISION.

Date _____

Appellant

Date Received

Superintendent

APPENDIX C - APPEAL TO BOARD OF EDUCATION

DATE FILED: _____

APPEAL OF THE SUPERINTENDENT'S DECISION IS MADE FOR THE FOLLOWING REASON(S) [WITH SPECIFICITY, STATE HOW OR WHY THE SUPERINTENDENT'S DECISION IS BELIEVED TO BE WRONG] :

[illegible]

ATTACH A COPY OF THE COMPLAINT FILED (FORM A) WITH THE PRINCIPAL, THE EMPLOYEE'S WRITTEN RESPONSE, THE PRINCIPAL'S RESPONSE, APPEAL TO PRINCIPAL (FORM B) AND THE SUPERINTENDENT'S DECISION.

Date _____

Appellant

Date Received _____

Business Manager

FILE: I-27 STUDENT DISCIPLINE

Staff and students share responsibility for maintaining a climate in which education can be pursued. What is best for the individual must be balanced with what is most desirable for the entire school population.

The following principle will be observed by the school staff in maintaining student control and discipline in the schools:

1. It is believed that most individuals modify behavior faster under praise than under blame. Therefore, the general approach to discipline will be a positive one. This will include attempting to identify the social, emotional, and academic problems that underlie a student's poor attitude or misconduct, and striving to meet his social, emotional, and academic needs.
2. Every individual needs to feel worthy and accepted as a person. In criticizing a student for his conduct or attitude and in taking disciplinary action, teachers and other staff members will endeavor to show him that it is his behavior that is objectionable, not the student himself.
3. The best discipline is self-discipline. Modes of student control over classroom management will offer students the freedom to acquire self-control and self-discipline. This freedom will be extended in keeping with the student's maturity.
4. Student discipline is also addressed in the specific grade level student handbook.

The Board extends to all of its school employees, professional and nonprofessional, the authority to enforce policy and regulations governing student behavior. Students will comply with the directions given them by staff members.

Adopted Date: November 26, 2012

FILE: I-28 REASONABLE AND NECESSARY PHYSICAL FORCE AUTHORIZED

Superintendents, principals, supervisors, and teachers and their aids and assistants, have the authority, to use the physical force that is reasonable and necessary for supervisory control over students. Like authority over students is given any person delegated to supervise children who have been authorized to attend a school function away from their school premises and to school bus drivers while students are riding, boarding, or leaving the buses.

Reasonable and necessary physical force is authorized in the following situations:

1. To remove a student who has refused to comply with requests to refrain from disruptive behavior;
2. To restrain or control a student that is out of control.
3. To protect other persons from physical injury;
4. To protect property of the school or others;
5. For self-defense.

Any employee using physical force to control a student will document the incident in writing, with copies given to the principal and superintendent by the close of the following school day. The superintendent will keep the Board apprised of the unusual or extreme incidents of the use of physical force. The use of corporal punishment, defined as any act of physical force on a pupil for the purpose of punishing that child is prohibited.

Adopted Date: November 26, 2012

LEGAL REFS: SDCL 13-32-2

FILE: I-29 POLICY FOR STUDENT SELF-ADMINISTRATION OF MEDICATION

“Self-administration of prescription medication” means a student’s discretionary use of prescription asthma or anaphylaxis medication, or both.

Any student with asthma or anaphylaxis, or both, may possess and self-administer prescription medication while on school property or at a school-related event or activity if:

1. The prescription medication has been prescribed by a physician or other licensed health care provider for that student as indicated by the prescription label on the medication;
2. The self-administration is done in compliance with the prescription or written instructions from the student's physician or other licensed health care provider; and
3. The parent/guardian of the student provides to the school, on a form provided by the school:
 - a. Written authorization, signed by the parent/guardian, for the student to self-administer prescription medication while on school property or at a school-related event or activity;
 - b. A written statement, signed by the parent/guardian, in which the parent releases the school district and its employees and agents from liability for an injury arising from the student's self-administration of prescription medication while on school property or at a school-related event or activity unless in cases of wanton or willful misconduct;
 - c. A written statement from the student's physician or other licensed health care provider, signed by the physician or provider and which shall be kept on file in the office of the school nurse, that states:
 - i. The student has asthma or anaphylaxis or both, and is capable of self-administering the prescription medication;
 - ii. The name and purpose of the medication;
 - iii. The prescribed dosage for the medication;
 - iv. The times at which or circumstances under which the medication may be administered; and
 - v. The period for which the medication is prescribed.
4. If any student uses the medication in a manner other than prescribed, the student may be subject to disciplinary action by the school; however, the disciplinary action may not limit or restrict the student's immediate access to the medication.
5. The parent/guardian (or student, if 18 years old or older), authorizes the school nurse to inform appropriate school employees (i.e., instructors, teacher aide’s, school administrators, activity supervisors, bus drivers who would have a need to know) that the student may self-administer medication.
6. The parent/guardian gives permission for the student to have the prescription medication with the student while on school property or at a school-related activity or event, or authorizes the school to secure (store) the medication for the student until self-administration of the medication is necessary. In no circumstances shall the prescription medication be stored in the student’s locker.

Adopted Date: November 26, 2012

AUTHORIZATION FOR SELF-ADMINSTERED MEDICATION

PHYSICIAN/LICENCES HEALTH CARE PROVIDER STATEMENT

The student _____ has

_____ Asthma

_____ Anaphylaxis

_____ Both asthma and anaphylaxis

And is capable of self-administering the following prescription medicine:

Name and purpose of medication _____

Prescribed dosage of medication _____

Times at which or circumstances under which the medication may be administered

Period for which the medication is prescribed _____

Signature of Physician/Other Licensed Health Care Provider

Date

Adopted Date: November 26, 2012

PARENTAL AUTHORIZATION

I am the parent/guardian of _____ and I authorize my child/ward _____ to self administer the prescription medication identified above while on school property or at a school-related event or activity.

I hereby release the McLaughlin School District and its employees and agents from liability for injury arising from the student's self-administration of the prescription medication while on school property or at a school-related event unless in case cases of wanton or willful misconduct.

I understand that if the student identified herein uses the medication in a manner other than prescribed, the student may be subject to disciplinary action by the school, however, any disciplinary action may not limit or restrict the student's immediate access to the medication.

I authorize the school nurse to inform appropriate school employees (i.e., instructors, teacher aide's, school administrators, activity supervisors, bus drivers who would have a need to know) that the student may self-administer medication.

I ____ do ____ do not (initial one) give permission for the student to have the prescription medication with the student while on school property or at a school-related activity or event. If permission is not given by the parent/guardian for the student to have the prescription medication with the student the school shall secure (store) the medication for the student until self-administration of the medication is necessary. In no circumstances shall the prescription medication be stored in the student's locker.

Signature of Parent/Guardian

Date

Adopted Date: November 26, 2012

FILE: I-30 STUDENT COMMUNICABLE DISEASES

Students who are afflicted with a communicable contagious, and/or infectious disease and who are infected with communicable parasites or who are liable to transmit such a disease or parasite may be excluded from school attendance. The board recognizes the need and right of all children to receive free and appropriate education. The board further recognizes its responsibility to provide a healthy environment for all students and school employees.

A determination of whether an infected students be excluded from the classroom or school activities shall be made on a case-by-case basis, under the direction of the principal/building administrator or designee. In situations where the decision requires additional expertise and knowledge, the building administrator will refer the case to an advisory committee for assistance in the decision making.

The advisory committee may be composed of:

1. A representative from the State Health Dept.
2. The student's physician;
3. The student's parents or guardian(s)
4. The school principal or designee;
5. The school health service's supervisor;
6. The superintendent or designee; and
7. Primary teacher(s).

In making the determination, the advisory committee shall consider;

1. The behavior, developmental level, and medical condition of the student;
2. The expected type(s) of interaction with others in the school setting;
3. The impact on both the infected student and others in to that setting;
4. The South Dakota Department of Health guidelines and policies; and
5. The recommendation of the County Health Officer, which may be controlling.

The advisory committee may officially request assistance from the State Department of Health. If it is determined that the student will not be permitted to attend classes and/or participate in school activities, arrangements will be made to provide an alternate educational program. If that requires personal contact between student and school employees, only trained volunteer employees shall be utilized.

Public information will not be revealed about the student who may be infected. If the student is permitted to remain in the school setting the following procedure will be followed by the principal:

Information will provided, as appropriate to school employees who have regular contact with the student as to the student's medical condition and other factors needed for consideration in carrying out job responsibilities.

Health guidelines for school attendance are established and interpreted within the context of the case.

The guidelines are not inclusive but are available to be used as a resource. School personnel will refer to health professionals for specific judgments in interpreting the guidelines.

Appropriate handling of blood and body fluids, hand washing after contamination, food preparation and health/hygiene care performed in different sick and work areas, maintenance cleaning and other personal hygienic measures are part of creating a healthy environment.

Specific health concerns may require the advisory committee to make a determination on school attendance or participation in school activities.

Adopted Date: November 26, 2012

FILE: I-31 STUDENT COMMUNICABLE DISEASE GUIDELINES

Numerous communicable diseases may affect a school-age population and/or school staff. Some of these have a high degree of communicability. Some are life threatening in nature. Some are both.

Disease and Incubation Period Rules for School Attendance

Acquired Immune Determination – will be made by the Deficiency Syndrome Advisory Committee as outlined in (AIDS) the Communicable Disease policy. 6 month-five years

Chicken Pox – 14-21 days The student may attend school after all pox are dry and scabbed.

Cytomegalovirus – The student may attend school (CMV) Salivary Precautions should be taken by Gland Viruses contacts with immunosuppressant 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.

Fifth Disease – The student may attend school with (Erythema Infectiosum) physician's permission. 6-14 days

Giardiasis – The student may attend school if (Intestinal Protozoan the student practices independent

Infection) and hygienic bathroom skills. 5-25 days or longer. Other students may attend school after the third day of drug treatment. Good hand washing in all cases should eliminate risk of transfer of infection.

Herpes Simplex – The student may attend school 2-12 days during an active case if the student has the ability and practices personal hygiene precautions and the area of lesion is covered.

Impetigo – The student may attend school if variable 4-10 days treatment is verified and covered or dry

Infectious Hepatitis – The student may attend school 15-40 days with physician's written average 25 days permission and if the student has the ability to take appropriate personal hygiene precautions.

Measles – (Red, Hard, Rubeola, 7 day) The student may attend school after a minimum of 7 days. 8-14 days Students who have had contact with measles may attend school if immunization is up to date.

Infectious – The student may attend school Mononucleosis with physician's permission. (Glandular Fever) The student may need adjusted 2-6 weeks school days and activities

Mumps – The student may attend school 12-21 days after swelling has disappeared.

Pediculosis – The student may attend school (Lice, Crabs) after treatment. After repeated infestation of the same student, the student may be excluded until all nits are removed.

Pink Eye – The student may attend school (Conjunctivitis) after the eye is clear, under treatment or with physician's written permission.

Plantar's Wart – The student may attend school. Students should not be permitted to walk barefoot.

Ring Worm – The student may attend school (Scalp, Body, if the area is under treatment Athlete's Foot) and covered. Restrict known cases of athlete's foot from pools and showers until under treatment.

Rubella – (3 day German The student may attend school measles) 14-21 days after a minimum of 4 days. Prevent exposure of pregnant women.

Scabies – (7 year itch, Mites) The student may attend school after treatment.

Streptococcal Infections – The student may attend school 24 hours after initiating oral (Scarlet Fever, antibiotic therapy, and clinically well. Scarletina, Strep Throat) 1-3 days

All communicable and chronic disease should be reported to Health Services in the time interval between initial contact with an infectious agent and the first sign or symptom of the disease.

Adopted Date: November 26, 2012

SECTION J: SCHOOL – COMMUNITY RELATIONS**FILE: J-1 SCHOOL-COMMUNITY RELATIONS GOALS**

The Board believes that responsible management of the school district requires that current laws and school district standards, attitudes, and philosophies of education are available to the community. The Board also recognizes that as elected representatives of the people it must consider the needs and desires of the community in establishing educational policy. In order to meet both of these aims, it is essential that effective two-way communication be maintained with the community.

The basis for an effective community relationships program is to be found in the following statements of Board attitudes:

1. The community will be encouraged to participate and actively assist in the future planning of the school district.
2. All avenues of communication available will be used.
3. Special attention will be given to effective internal communication among the Board, administration, the staff, and students, to assure the full understanding of existing programs and to elicit reports and recommendations on those in effect, as well as those which should be considered. The Board is devoted to the development and maintenance of a comprehensive year-round community relations programs to assure a full appreciation of the educational program and the problems of the district, and to provide for the broadest participation of all--Board, staff and community, in seeking the solution to problems and in promoting the continuing improvement of the education available to the residents of the community.

Adopted Date: November 26, 2012

FILE: J-2 PUBLIC'S RIGHT TO KNOW

As a political subdivision of the State of South Dakota, the public has the right to be present at school board meetings to observe the School Board conducting school district business. Public participation at school board meetings is governed by policy BDDH. The Board shall adhere to the open meetings laws as set forth in SDCL 1-25 and public records law as set forth in SDCL 1-27. Appendix KA to this Policy sets forth the rules related to requests and responses to requests for public records/public information.

The Board supports the right of the people to know about the programs and services of their schools and will make every effort to disseminate information. All requests for information will be acted on fairly, completely, and expeditiously.

The official minutes of the Board, its written policies and regulations, and the financial records will be open for inspection at the office of the superintendent by any citizen desiring to examine them during hours when the office is open. No records pertaining to individual students or staff members will be released by the superintendent or other persons responsible for the custody of confidential files for inspection by the public or unauthorized persons. The exception to this will be information about an individual employee (or student) that has been authorized in writing for release by the employee (or student, or student's parents).

Each building administrator is authorized to use all means available to keep parents and others in the particular school's community informed about the school's program and activities.

Adopted Date: November 26, 2012

FILE: J-3 APPENDIX TO POLICY KBA

1. If the keeping of a record, the preservation of a document, or other instrument is required of an officer or public servant under any statute of this state, the officer or public servant shall keep the record, document, or other instrument available and open to inspection by any person during normal business hours. [SDCL 1-27-1]
2. Provision #1 shall not apply to such records as are specifically enjoined to be held confidential or secret by the laws requiring them to be so kept. [SDCL 1-27-3]
3. If the school district is required or authorized by law to record, copy, file, recopy, or replace any document, plat, paper, voucher, receipt, or book on file or of record in the officer's office, the officer may do so by any photo static, micro photographic, microfilm, mechanical, or electronic process which produces a clear, accurate, and permanent copy or reproduction of the original in accordance with the standards not less than those approved for permanent records by the National Bureau of Standards or the American National Standards Association. However, the school district is not required to maintain its permanent school records on microfilm if the district maintains its permanent school records in an electronic format that can be used to produce clear, accurate reproductions of the originals. [SDCL 1-27-4]
4. Whenever any record or document is copied or reproduced in a method described in Provision #3 the school district shall retain a copy or reproduction. [SDCL 1-27-6]
5. If the original records or documents are disposed of or destroyed, the school shall, unless viewing equipment is otherwise available within the corporate limits of the municipality wherein the records or documents are kept, provide suitable equipment for displaying such record or document in whole or in part by projection to no less than its original size, or for preparing for persons entitled thereto copies of the record or document, but which shall not be required to be in its original size. [SDCL 1-27-7]
6. Any informal request for disclosure of documents or records shall be made to the Superintendent of the McLaughlin School District. The Superintendent may then provide the requestor with the document or record upon payment of the actual cost of mailing or transmittal, the actual cost of reproduction, or other fee established by statute or administrative rule. A requestor that makes an informal request requiring the dedication of staff time in excess of one hour may be required to pay the cost of the staff time necessary for the location, assembly, or reproduction of the public record. If any records are required or permitted to be made public upon request and no other rate is prescribed for reproduction or retrieval of such records, the Bureau of Administration shall establish, by rules promulgated pursuant to chapter 1-26, the maximum rate, or the formula for calculating rates, for reproduction and retrieval. [SDCL 1-27-42; SDCL 1-27-35]
6. For any informal request reasonably likely to involve a fee in excess of fifty dollars, the Superintendent shall provide an estimate of cost to the requestor prior to assembling the documents or records and the requestor shall confirm in writing his or her acceptance of the cost estimate and agreement to pay. The Superintendent may exercise discretion to waive or reduce any fee required under this section if the waiver or reduction of the fee would be in the public interest. [SDCL 1-27 36]
7. If an informal request is denied in whole or in part by the Superintendent, a written request may be made by the requestor pursuant to this section:

- a. The Superintendent shall promptly respond to the written request but in no event later than ten business days from receipt of the request. The Superintendent shall respond to the request by: (a) Providing the record in whole or in part to the requestor upon payment of any applicable fees pursuant to §§ 1-27-35 and 1-27-36; (b) Denying the request for the record; or (c) Acknowledging that the Superintendent has received the request and providing an estimate of the time reasonably required to further respond thereto;
 - b. Additional time to respond to the written request under subsection (1)(c) of this section may be based upon the need to clarify the nature and scope of the written request, to locate and assemble the information requested, to notify any third persons or government agencies affected by the written request, or to determine whether any of the information requested is not subject to disclosure and whether a denial should be made as to all or part of the written request;
 - c. If a written request is unclear, the Superintendent may require the requestor to clarify which records are being sought. If the requestor fails to provide a written response to the Superintendent's request for clarification within ten business days, the request shall be deemed withdrawn and no further action by the Superintendent is required;
 - d. If the Superintendent denies a written request in whole or in part, the denial shall be accompanied by a written statement of the reasons for the denial;
 - e. If the Superintendent fails to respond to a written request within ten business days, or fails to comply with the estimate provided under subsection (1)(3) of this section without provision of a revised estimate, the request shall be deemed denied. [SDCL 1-27-37]
8. If the Superintendent denies a written request in whole or in part, or if the requestor objects to the Superintendent's estimate of fees or time to respond to the request, a requestor may within ninety days of the denial commence a civil action by summons or, in the alternative, file a written notice of review with the Office of Hearing Examiners. The notice of review shall be mailed, via registered or certified mail, to the Office of Hearing Examiners and shall contain:
- a. The name, address, and telephone number of the requestor;
 - b. The name and business address of the Superintendent denying the request;
 - c. The name and business address of the McLaughlin School District;
 - d. A copy of the written request;
 - e. A copy of any denial or response from the Superintendent; and
 - f. Any other information relevant to the request that the requestor desires to be considered. [SDCL 1-27-38]

Adopted Date: November 26, 2012

FILE: J-4 PUBLIC COMPLAINTS

Any resident or community group has the right to present a request, suggestion, or complaint concerning district personnel, the program, or the operations of the district. The Board believes that complaints are best heard and resolved as close to their origin as possible, and that staff members should be given every opportunity to consider the issues and attempt to resolve the problem prior to involvement by the School Board. The Board also has the duty to protect its staff from unnecessary harassment. It is the intent of this policy to provide a fair and impartial manner for seeking appropriate remedies.

Any misunderstandings between the public and the school district shall be resolved by direct discussions of an informal type among the interested parties. It is only when such informal meetings fail to resolve the differences that more formal procedures will be employed.

The proper channeling of complaints is:

- Teacher/Classified Employee/Coach
- Activities Director (if applicable)
- Principal
- Superintendent
- School Board

If a complaint that was presented to the School Board and referred back through the proper channels is resolved before it comes back to the School Board, a written report of the disposition of the matter will be made to the School Board and then placed in the official school files. The School Board expects the staff to receive complaints courteously and to make a proper reply to the complaint.

Matters referred to the Administration and/or School Board must be in writing and should be specific in terms of the action desired. Exceptions to this policy may be made only when the complaint concerns School Board actions or operations.

COMPLAINT PROCEDURES

Step 1: The individual/group will meet with the appropriate staff member in an attempt to resolve the issue. If the issue is not resolved, the individual/group may move to Step 2 by putting the complaint in writing and submitting it to the principal. The principal will give a copy of the complaint to the staff member. The staff member must respond in writing within five working days after receiving a copy of the complaint. A working day is defined as a day when teachers are required to be at work. Work days during the summer vacation shall be defined as Monday-Friday, excluding holidays.

Step 2: The principal will meet with the individual/group and the staff member, individually or jointly, in an attempt to resolve the problem. If a resolution agreeable to both parties is reached, a report and implementation procedure will be made in writing to the principal and delivered to the superintendent. If no agreement is reached, the principal will render a decision in writing within 10 working school days. A copy of the decision will be given to the individual/group, the staff member, and the superintendent. Within 20 working school days, either party may go to step 3.

Step 3: The written complaint, with the principal's action, is given to the superintendent. The superintendent will meet with the individual/group, the staff member, and the principal, individually or jointly. If resolution is reached, the superintendent will write a report and provide a copy to the individual/group, the staff member, and the principal. If no agreement is reached, the superintendent will render a decision in writing within 10 working days and deliver it to the individual/group, the staff member, the principal, and the School Board. Within 20 working school days, either party may go to Step 4 by notifying the superintendent.

Step 4: The School Board will consider the complaint while meeting in executive session. The School Board will make every effort to conduct the meeting in a fair and just manner. Generally, all parties involved will be asked to attend such a meeting for the purposes of presenting additional facts, making further explanations, and clarifying the issues. The Board may request a disinterested third party act as a moderator.

The superintendent will provide the Board with written copies of the complaint, the staff member's response, the principal's decision, and the superintendent's decision. At the hearing, the individual/group making the complaint will explain the complaint; the superintendent will explain the administration's response.

The School Board will render its decision, which will be implemented by the superintendent. The individual/group making the complaint or the staff member may appeal this decision within 90 days to the Circuit Court as per SDCL 13-46.

Adopted Date: November 26, 2012

COMPLAINT RESOLUTION FORM_____
Name of Complainant_____
Address_____
Phone #

Please complete the following information and respond to all questions. Attach additional pages, if necessary. Please state or describe your concerns, being as specific as possible as to times, events, people involved, etc. Please list or describe the action, which you feel is necessary or required to resolve this situation.

Signature_____
Date

Adopted Date: November 26, 2012

FILE: J-5 USE OF SCHOOL FACILITIES

Overview: The School District of McLaughlin has established a policy for the usage of school facilities by outside individuals and organizations. Individuals and organizations wishing to contract for use any facilities described herein are responsible to comply with the rules and regulations for usage of any and all facilities set forth in this agreement. The 2012 Sports Complex is for student-athlete use only and will not be available for contract.

Definitions:

1. 2012 Sports Complex: The gymnasium built in the new Middle School/High School construction in 2012
2. Contracted Facilities: The facilities provided by the School District of McLaughlin and used in accordance with the Facilities Use Agreement received and signed by the contractor for a prearranged and designated period of time
3. Contractor: A designated individual responsible for signing the facilities use agreement and abiding by the terms of the agreement
4. Designated Individual: An adult at least twenty-one (21) years of age
5. General Building: Used to describe facilities not indicated otherwise, including but not limited to Classrooms, the Conference Room, the Playground, the Football Grounds, Concession Stands, etc.
6. General Exercise Equipment: Any exercise equipment provided in the Weight Room, including but not limited to free weights, treadmills, elliptical trainers, etc.
7. Group: An allowable organization

Allowable Organizations: Any community groups involving a cross-section of school district population is allowed.

General Usage Rules and Regulations:

1. Any group wishing to use the facilities during the school year must designate an individual to be responsible as the contractor for the event. They must contact the Activities Director, Middle School/High School Principal, and/or Superintendent for arrangements at least one month in advance.
2. All large groups are expected to have their contractor speak with the Superintendent to meet with the Board of Education for arrangements as determined by Board Policy.
3. The facility use deposit and fees must be received on the date of contract by the Business Manager. Any group requesting special provisions, i.e. the waiver of a daily fee, needs to have prior approval by the Superintendent and/or Board of Education.
4. Per SDCL 13-24-20, "Any person, persons, or public body using such school facilities, computers, motor vehicles, or land is responsible to the school district for any and all damages that may be caused by reason of the use or occupancy. The school district is not liable for any damages which might arise as the result of such use or occupancy, including the use of school computers by students."
5. Dates of use are bound by contract and does not allow for practice of any kind unless specified and approved in the contract.
6. A signed contract, a refundable deposit, and fees must be received prior to the event.
7. Rules posted in the designated facilities must be followed at all times without exception.

8. Keys may be picked up from the Superintendent and must be returned after the event or upon termination of the contract. A key replacement fee will be charged to the contractor for lost, misplaced, or stolen keys. If the keys are not returned, this fee will also be assessed.
9. The contractor is responsible for the supervision of their group and all persons in the facility at the time of contract use. The contractor will be held accountable and liable for any damages sustained, misconduct reported, or accidents.
10. The use of tobacco, including smoking and chewing, on school property is strictly prohibited!
11. The use of alcohol on school property is strictly prohibited!
12. Belligerence, misconduct, and any unlawful activity should not be tolerated!
13. Misuse of telephone lines will not be tolerated!
14. Children should be supervised at all times!
15. The contractor is responsible for the care and maintenance of the contracted facilities during the term of the contract. Any necessary cleaning supplies for the contracted facilities will be made available to the contractor. The following is a list of general custodial responsibilities by the contractor:
 - a. Vents, fans, and lights shut off
 - b. Floors swept
 - c. Floors mopped, if necessary
 - d. Surfaces wiped, if necessary
 - e. Equipment and supplies restored to original location
 - f. Doors locked

Request for Facilities Use Form: At least one month prior to an event, a Request for Facilities Use must be received by the Activities Director, Middle School/High School Principal, and/or Superintendent. This form is available in the Business Office and requires identification of the party, point of contact (contractor), facilities requested for use, dates, and times of use, activity/event taking place and any special accommodations requested. Upon approval of the request for facilities use, a contract will be prepared for the event.

Facilities Use Contract: Upon receipt and approval of a Request for Facilities Use Form, a Facilities Use Contract will be prepared for the contracting party and/or organization. It will denote which facilities are approved for use and what accommodations are being provided by the School District. A Facilities Use Agreement Policy will accompany this contract outlining the General Rules and Regulations for all facilities as well as applicable special rules for the contracted facility. All deposits and fees are due upon receipt of the signed contract by the Business Manager.

Deposit and Fees:

Facility Use Deposit: \$200.00

A refundable facilities use agreement deposit should be received at the time of contract by the Business Manager. It will be refunded to the contractor upon a satisfactory inspection of the facilities. A receipt for the deposit will be provided.

Facility Use Fee: \$225.00

The nonrefundable fee for use of the facilities is charged at a daily rate and must be received at the time of contract by the Business Manager. If it is not received, the contract will be terminated. A receipt for the fees will be provided.

Key Replacement Fee: \$100.00/Key

In the event facility keys provided to the contractor are lost, misplaced, or stolen, it will be the responsibility of the contractor to pay a replacement fee for each key. Also, if the keys are not returned after the event, this fee will be assessed to the contractor. A receipt for the key replacement fee will be provided.

Available Facilities for Use and Applicable Special Rules

1. General Building
 - a. Indoor facilities, including but not limited to classrooms, the conference room, etc., to be used will have contents preemptively secured as necessary. The use of school computers is strictly prohibited.
 - b. Outdoor facilities, including but not limited to the football field, the playground, etc., to be used will have equipment and buildings preemptively secured as necessary.
2. Kitchen/Cafeteria
 - a. The use of kitchen utilities and appliances is not permitted. Any additional preparations required, i.e. tables, chairs, serving utensils, etc., is responsibility of the contractor.
 - b. The use of the stage and all its components is not permitted unless arrangements have been granted in advance.
3. Original Gymnasium and/or "Open Gym"
 - a. The use of bleachers, scoreboard controls, and concession stands are permitted. They will be set up for the contracted event in advance, per contractor request. They are not to be tampered with.
 - b. Soda pop is not allowed in the gym. Sports drinks and water are okay.
 - c. Misuse of the equipment will not be tolerated, e.g. hanging on the basketball rim, climbing the volleyball podium, etc.
 - d. The use of locker rooms by the contractor is permitted. In addition to the General Usage Rules and Regulations custodial responsibilities, the locker rooms are expected to be cleaned and maintained during and after the contracted event.
4. Swimming Pool
 - a. Certified lifeguards are required. The contractor must arrange for at least two (2) certified lifeguards to be on duty while participants are in the pool.
 - b. There must be one (1) adult in the pool area at all times, in addition to the certified lifeguards already on duty.
 - c. Food or beverages are not allowed in the pool area.
 - d. The use of locker rooms by the contractor is permitted. In addition to the General Usage Rules and Regulations custodial responsibilities, the locker rooms are expected to be cleaned and maintained during and after the contracted event.
5. Weight Room
 - a. At least two (2) adults at least eighteen (18) years of age are required to be present at all times. Prior weight room equipment use knowledge and training is preferred.
 - b. Participants must be at least thirteen (13) years of age.

- c. Use of the weight room equipment for children under the age of thirteen (13) is strictly prohibited.
- d. Misuse of general exercise equipment will not be tolerated.
- e. Extreme caution should be used at all times when participants are in the weight room.
- f. The use of locker rooms by the contractor is permitted. In addition to the General Usage Rules and Regulations custodial responsibilities, the locker rooms are expected to be cleaned and maintained during and after the contracted event.
- g. All general exercise equipment should be washed and sanitized after use.
- h. Soda pop and food is not allowed in the weight room. Sports drinks and water are okay.

Adopted Date: November 26, 2012

FILE: J-6 REQUEST FOR USE OF SCHOOL FACILITIES**Instructions:**

Please select below which facility you request to use. Specify the activity in which you wish to engage and the time and date in which you require the facilities requested.

This request will be used to present to the Activities Director, Middle School/High School Principal and/or Superintendent for approval. Upon approval, a Facilities Use Agreement contract will be provided to the contractor. Deposit and Fees are due upon receipt of the contract.

Checks should be made payable to: McLaughlin School District

Point of Contact: _____

Contact Information: _____

Facility:

- | | | | |
|--------------------------|---------------------------|--------------------------|----------------------|
| <input type="checkbox"/> | General Building | <input type="checkbox"/> | Swimming Pool |
| <input type="checkbox"/> | Kitchen/Cafetorium | <input type="checkbox"/> | Weight Room |
| <input type="checkbox"/> | Original Gymnasium | | |

Dates: From _____ To _____

Times: From _____ To _____

Activity: _____

For any additional accommodations requested, please submit as an attachment to this form.

-----FOR OFFICE USE ONLY-----

- | | |
|--------------------------|------------------------------|
| <input type="checkbox"/> | Approved |
| <input type="checkbox"/> | Denied, for _____ |
| <input type="checkbox"/> | Terminated, for _____ |

Activities Director
MS/HS Principal
Superintendent

Signature

Date

FILE: J-7 USE OF SCHOOL FACILITIES AGREEMENT

The undersigned, on behalf of _____ hereby indicates that he/she has read and agrees to comply with the Facility Use Policy and the procedures governing the use of school facilities. The undersigned assumes all and exclusive responsibility and liability for any injury to persons, damage to school facilities or school personal property that may result from use of said facility per SDCL 13-24-20.

The undersigned assumes all and exclusive responsibility for the preservation of order and the sole responsibility for any injury to persons, damage to school facilities or school or personal property, or loss of school or personal property that may result from this use.

The McLaughlin School District 15-2 will not be responsible for any materials, equipment, or personal belongings left in the building. The undersigned agrees to indemnify and hold the McLaughlin School District 15-2, its agents and servants, and employees harmless from and against all claims and expenses for it, including attorney fees. The undersigned represents that he/she has authority to bind the organization.

User Activity Information and Regulations – Attached

Dated this _____ day of _____, 20 ____.

Requesting Individual/Entity

McLaughlin School District Personnel

Printed Name

Printed Name

Signature

Title

Date

Signature

Date

-----FOR OFFICE USE ONLY-----

Facility Use Deposit \$ _____

Facility Use Fee \$ _____

Total Amount Due \$ _____

Amount Received \$ _____

Date _____

Key(s) Received

Date _____

Deposit Returned \$ _____

Date _____

Notes: _____

FILE: J-8 SMOKING ON SCHOOL PREMISES

The School Board recognizes that smoking represents a health and safety hazard which can have serious consequences for the smoker and nonsmoker and the safety of the District. In order to protect the students, staff, employees, visitors and guests of the District from an environment that may be harmful to them, and because of possible harm to personal well-being, the Board hereby prohibits smoking by staff members, employees, visitors, or guests in all District buildings, on grounds, and in all school vehicles at all times.

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

It is understood that this policy will be in addition to other Board policies concerning the prohibition of smoking by students on school property and buses.

This smoking prohibition will be in effect for regular school hours. Provided classes are not in session, the use of tobacco products on school property outside the building/facility shall be permitted only in designated areas during a school athletic contest or fine arts performance.

Adopted Date: November 26, 2012

FILE: J-9 VISITORS TO THE SCHOOLS

The Board and staff of the school district welcome members of the community and other interested persons to visit the district school. School improvements often come from suggestions originating in such visits. The superintendent will encourage visitors to observe our schools; provide for appropriate hospitality for visitors; channel expressions of approval as well as constructive criticism to the Board; ensure that such visits will enhance the effect of the educational program.

All visitors must report to the school office and receive the superintendent's or principal's permission to be on the school grounds. Any person on school property who has not registered with the school office will be requested to report to the superintendent's or principal's office for permission to remain. Any request to be on school property for any purpose deemed by the school superintendent or principal or his designee to be disruptive of the educational process will be denied permission to remain. If a visitor refuses to leave the school grounds, creates any disturbance, or attempts to disrupt the educational process, the principal is authorized to request aid from the local law enforcement agency.

Adopted Date: November 26, 2012

FILE: J-10 PARENTS/GUARDIANS VISITING SCHOOL

Parents and guardians are invited and encouraged to visit school. Parents/guardians are to schedule classroom visits and non-class time visits (lunch, recess, etc.) in advance through the office. Visits are to be on an infrequent basis because regular visits can be disruptive to the class and instructional process, and parental visits can also be disruptive during non-class time, as parent/guardian visits change the regular school day for the parent's/guardian's child and also for other students. When making visits, unless the parent/guardian is asked to assist with his or her child or a group of children, the parent/guardian should remain quiet and seated when in class in order to not disrupt the educational process, teaching, and students doing their work.

In order to avoid disturbing students and school employees in the performance of their duties, visits will not be permitted in the following situations:

1. When the regular teacher is absent;
2. If a student teacher is teaching or is responsible for the class;
3. The day before or after a vacation period/holiday;
4. On a special activity day, such as when there is a school assembly or class party;
5. If the visits have become regular (more than two times per month), unless special reasons and good cause exists for more frequent visits as determined and approved by the principal after a request for more visits has been made by the a parent/guardian;
6. If the classroom visit infringes upon the confidentiality rights of other students;
7. Longer than 1 hour, unless special approval is given by the Principal prior to the visit upon receipt of a parent/guardian request and the Principal determining that a longer visitation is necessary, appropriate and in the best interests of the parent's/guardian's student, other students and classroom instructor(s);
8. If the parent/guardian visits have become disruptive to the educational process for the teacher or student(s), as determined by the teacher and Principal;
9. If the parent/guardian assumes the role of a school employee in directing or disciplining any student, unless having been given direct authority to do so. Should the parent/guardian become aware of any situation which warrants directing or disciplining any student, the parent/guardian is to contact either the teacher or an administrator. The parent/ guardian is not to assume that role of a school employee who is responsible for student conduct and student safety.

While the District certainly invites and wants to promote parent/guardian visits to school, parent/guardian visits during the school day can change the regular routine and school day for the parent's/guardian's child, other children, and teacher and therefore the above rules regarding visitation are to be followed. Should there be a need by a parent/guardian to acquire more insight and information regarding how the parent's/guardian's child is doing in school and what the child is doing in school, the parent/guardian should request a time to meet with the teacher outside the regular student school day in order to discuss those things with the teacher.

Legal authority: SDCL 13-32-6. It is a class 2 misdemeanor for a person to intentionally disturb a public school when in session or who intentionally interferes with or interrupts the proper order or management of a public school by acts of violence, boisterous conduct, or threatening language, so as to prevent the teacher or any pupil from performing his duty.

Adopted Date: November 26, 2012