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### Timber Lake School District #20-3 Policy Manual

This school policy book takes precedence over student and Staff handbooks, if there is a discrepancy.

Review and adopted 7-11-2018

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### **NEPN Code: AA**

#### Philosophy

The primary function of the Timber Lake Public School System is to promote the well-rounded and continuous growth of its youth into effective citizens in the democratic society. To attain this goal the school shall endeavor to provide a suitable environment for helpful, guidance, training, and experiences which will assist each student to become better adjusted in his/her family, social, and business relationships, concerned for his/her own welfare and the welfare of others, open minded on controversial issues, trained in work habits, skills, and logical reasoning, and prepared for profitable and gratifying use of leisure time. Furthermore the school shall endeavor to provide for the physical and moral well-being of each student. Finally, the school shall cooperate with the home, church, and other community forces to build the education experiences of the youth.

### **NEPN Code: AB**

#### Mission Statement

Timber Lake School provides a safe environment that empowers Students to become critical thinkers and responsible lifelong learners in a changing society. Revised 5-2011

### **NEPN Code: AC**

#### OBJECTIVES

#### **WE BELIEVE:**

1. That the school should discover each student's needs and abilities, deal with them as an individual, and aid them to develop into a useful member of an integrated social unit.
2. That an ever-changing curriculum is necessary to fit the student for living in today's world and that of tomorrow.
3. That this curriculum should provide for each student:
  - a. Organized fields of information and opportunity to develop basic skills necessary to fulfill their needs.
  - b. A constructive program of physical development and health education.
  - c. A guidance program which permits them to consider all possible procedures, select and carry to completion that course of action which will encourage unified and consistent growth.
  - d. Curricular and co-curricular programs which emphasize:
    - (1) The ideals of American democracy, including the development of responsibility, respect for the rights of others, and moral obligations of themselves, their family, their school, their country and the world.
    - (2) Concepts of citizenship, patriotism and understanding of governmental functions.
    - (3) The development of acceptable social attitudes and desirable behavior patterns.
    - (4) The development of abilities and personality.
    - (5) Conservation of all resources, human and natural.

4. That insofar as possible, instruction should be carried on through the process of inquiry and problem solving rather than ready acceptance of or uncreated rejection of new ideas. Hopefully, this would lead to the development of critical thinking individuals capable of logical reasoning that leads to satisfactory conclusive ends.
5. That the student should be made cognizant of the cultural resources of the community and be encouraged to avail themselves of these opportunities to the end that the level of community life will be raised.
6. That parents and citizens should be encouraged to visit classes, offer opinions and suggestions, and become friends of the school and staff.

**NEPN Code: AD**

**Calendar SDCL 13-26-1**

- a. The fiscal and statistical year shall begin on the first day of July in each year and end June 30th of the following year.
- b. The superintendent of schools shall present annually in March a calendar for the coming school year for the approval of the school board. Such a calendar shall make provisions for the opening and closing of school, and authorized vacation periods - Thanksgiving, Christmas and Easter.
- c. Days will be made up on vacation days scheduled on the school calendar or at the end of the school year. The decision will be made by the school board acting upon the recommendation of the Superintendent. School will not be held during the boys or girls state basketball tournaments when the Timber Lake Basketball team is in the state tournament. The same policy will apply when the Timber Lake School Football team is in the State Football Championship. Days will be made up on vacation days scheduled on the school calendar or at the end of the school year. The decision will be made by the school board acting upon the recommendation of the Superintendent. Exception may be made by the Superintendent, to have school, after consulting with the board chairman if: The tournament is held at a site close enough to Timber Lake so that a student fan bus would not have to leave for the Timber Lake game until 11:00 A.M. Policy for students when pep bus is stormed in: School pays for rooms & meals, but students must repay the school for rooms and meals that the school paid for.

**NEPN Code: AE**

**Length of School Term**

The school year shall consist of the number of days as provided by law. SDCL 13-26-2

**NEPN Code: AF**

**Tobacco Free Policy**

The District recognizes it duty to promote the health and safety of students, staff and citizens on district property and during school-sponsored activities. In accordance with this responsibility, it is the intent of the School Board to establish a tobacco-free school environment that demonstrates a commitment to helping students resist commercial tobacco use and emphasizes the importance of adult role modeling.

The use, possession, or promotion of commercial tobacco on school property by students, employees, vendors, visitors and invitees is prohibited. Students and employees are also prohibited from using or promoting commercial tobacco at school-sponsored activities off school property. Students participating in school-activities are also subject to rules as may exist pursuant to an applicable activity code of conduct. Notwithstanding any other provision of this policy to the contrary, the fundamental use of traditional tobacco shall not be subject to the restrictions of this policy.

For the purpose of the policy:

1. "Commercial Tobacco" means any substance or item, in any form, containing tobacco and electronic nicotine delivery devices (e-cigarettes), which may contain nicotine;

2. "Traditional Tobacco" as defined by the CRST Cultural Preservation Office and the Great Plains Tribal Chairman's Health Board means plants for healing the mind, body, and spirit. There are four plants that are used in Lakota ceremonies: tobacco, sage, sweet grass and cedar. Traditional Tobacco is called "cansasa," another name is 'kinikinik'. Cansasa translates to red willow. Tobacco is used: 1) in our sacred pipe in ceremonies and is not inhaled; 2) in its natural form to make tobacco ties for prayer or thanksgiving in times of need; 3) only for special purposes in prayer, offering or rituals; 4) as an offering to an elderly when we need his or her help, advice or prayer; 5) as an offering when we see the sacred eagle in the sky, as the eagle is the intercessor to Tunkasila, Great Spirit; 6) as an offering to the drum at pow-wows to give special blessing to the heartbeat of the nation and onto the singers at the drum; 7) as an offering when a person asks someone to do a ceremony such as naming – hunka-pipe ceremony, singing-sweat lodge or any of the Lakota ceremonies; 8) as an offering to a person as a way to ask for forgiveness to heal bad feeling when emotions are hurt; 9) as an offering or to an elderly to seek knowledge and to show appreciation to that person for sharing. Traditional tobacco is never abused because it is in its natural form without additives.
  3. "School property" means all district owned, rented or leased buildings, grounds and vehicles;
  4. "School-sponsored activity" means any planned, organized, endorsed, or supervised activity involving students or the staff that occurs during, before, or after regular school hours:
  5. "Promotion: means the use or display of tobacco-related clothing, bags, lighters, or other material that is designed to encourage the acceptance or use of tobacco.
- \* Students found to be in violation of this policy will be subject to the following disciplinary action as stated in the student handbook under "Violations".

#### Legal References:

SDCL 13-8-39 (Management of schools by board)

SDCL 22-36-2 (Smoking in public place or place of employment prohibited)

Adopted: 10-12-16

### **NEPN Code: AG**

#### **Policy Prohibiting Sexual Harassment**

**POLICY STATEMENT:** It is the policy of the Timber Lake School 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 of all forms of discrimination, including sexual harassment.

**POLICY:** It is expressly against District policy for any individual (employee, student or guest) to make unwelcome sexual advances or 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 decisions or 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.

It is a violation of this policy to knowingly report false allegations of sexual harassment. Persons found to knowingly report or corroborate false allegations will be subject to appropriate discipline.



**SEXUAL HARASSMENT:** Harassment is defined as sexually oriented words or 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 or verbal 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 being subject to sexual harassment should immediately report it to a school administrator, students may report it to teachers, guidance counselors or administration. 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 which 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. The Title IX Coordinator is Julie Marshall, Timber Lake School, PO Box 1000, Timber Lake SD 57656, 605-865-3654.

### **INVESTIGATION:**

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 will 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 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. Pending the outcome of the investigation and if deemed appropriate, an employee, student, guest or visitor alleged to have sexually harassed another person may be suspended from employment or school and may not be allowed on school premises. (Revised 01/00)
3. 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). Parents should also be notified. (Revised 01/00)
4. 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.

5. 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.

6. 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 or she has made a report, 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, 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 the sexual harassment complaint should immediately contact a school administrator. The Title IX Coordinator is Julie Marshall, Timber Lake School, PO Box 1000, Timber Lake SD 57656, 605-865-3654. Persons with questions may contact the Kansas City Office, Office for Civil Rights, US Department of Education, 8930 Ward Parkway, Suite 2037, Kansas City, MO 64114-3302, Telephone 816-268-0550 Fax 816-823-1404, TDD 877-521-2172, email [OCR.KansasCity@ed.gov](mailto:OCR.KansasCity@ed.gov).

#### **INTERVIEW RECORD**

1. PERSON INTERVIEWED: \_\_\_\_\_

A. IF EMPLOYEE, POSITION \_\_\_\_\_

B. IF STUDENT, GRADE \_\_\_\_\_ AGE \_\_\_\_\_

PARENTS' NAMES \_\_\_\_\_

PHONE NUMBERS - HOME \_\_\_\_\_ WORK \_\_\_\_\_

2. DATE INTERVIEWED \_\_\_\_\_

3. INTERVIEWED BY \_\_\_\_\_

4. WRITTEN COMPLAINT: YES \_\_\_\_\_ (if yes, attach) NO \_\_\_\_\_

5. PERSON(S) PRESENT DURING INTERVIEW (including position/relationship to person being interviewed): \_\_\_\_\_

6. DATE OF MOST RECENT INCIDENT RESULTING IN COMPLAINT: \_\_\_\_\_

7. LOCATION WHERE MOST RECENT INCIDENT TOOK PLACE: \_\_\_\_\_

8. WITNESSES TO THE INCIDENT: \_\_\_\_\_

9. NATURE OF INCIDENT:

1. PERSON ALLEGED TO BE SEXUALLY HARASSING: \_\_\_\_\_

A. IF EMPLOYEE, POSITION: \_\_\_\_\_

B. IF STUDENT, GRADE AND AGE: \_\_\_\_\_

C. IF STUDENT, IN SPECIAL EDUCATION? YES \_\_\_\_\_ NO \_\_\_\_\_

2. WHAT EXACTLY DID THE PERSON DO?

A. COMMENTS- WITH SPECIFICITY: \_\_\_\_\_

B. TOUCH - WHERE ON BODY? \_\_\_\_\_

C. OTHER (such as obstructing movement, gestures, pictures, etc.): \_\_\_\_\_

10. PRIOR INCIDENT - DATE: \_\_\_\_\_

11. LOCATION WHERE PRIOR INCIDENT TOOK PLACE: \_\_\_\_\_

12. WITNESS TO PRIOR INCIDENT: \_\_\_\_\_

13. NATURE OF PRIOR INCIDENT:

1. WHAT EXACTLY DID THE PERSON DO?

A. COMMENTS- WITH SPECIFICITY: \_\_\_\_\_

B. TOUCH - WHERE ON BODY? \_\_\_\_\_

C. OTHER (such as obstructing movement, gestures, pictures, etc.): \_\_\_\_\_

14. (VERY POSSIBLY WILL NEED TO ASK QUESTION 10 THROUGH 13 AGAIN, UNTIL NO PRIOR INCIDENTS)

### **SEXUAL HARASSMENT COMPLAINT CHECK LIST**

/PP- Revised DATE \_\_\_\_\_

1. ORAL COMPLAINT RECEIVED FROM: \_\_\_\_\_
2. WRITTEN COMPLAINT RECEIVED FROM: \_\_\_\_\_

3. REVIEW BOARD POLICY: \_\_\_\_\_  
4. REVIEW EMPLOYEE HANDBOOK/COLLECTIVE BARGAINING AGREEMENT: \_\_\_\_\_  
5. INTERVIEW "VICTIM" AND WITNESSES:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. CONTACT DISTRICT'S LEGAL COUNSEL \_\_\_\_\_  
7. INFORM ACCUSED PERSON OF COMPLAINT \_\_\_\_\_  
8. OFFER OPPORTUNITY TO ACCUSED TO RESPOND \_\_\_\_\_  
9. REVIEW EMPLOYEE/STUDENT FILES \_\_\_\_\_  
10. FOLLOW-UP INTERVIEWS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

11. DETERMINE NATURE, SCOPE AND FREQUENCY OF THE ALLEGED HARASSMENT \_\_\_\_\_  
12. DETERMINE ACTION TO BE TAKEN (i.e., FINDING OF NO HARASSMENT, WRITTEN REPRIMAND, STUDENT SUSPENSION, BOARD HEARING SCHEDULED ON STUDENT EXPULSION OR EMPLOYEE CONTRACT TERMINATION) \_\_\_\_\_  
(2-9-98)

**NEPN Code: AH**

### **Prohibiting Harassment / Bullying**

**POLICY STATEMENT:** It is the policy of the Timber Lake School District to prohibit harassment / bullying 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 harassment.

**POLICY:** It is expressly against District policy for any individual (employee, student or guest) to harass / bully 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 decisions or academic or extracurricular decisions affecting the individual who either submits to or rejects the conduct;
3. Such conduct has the purpose of effect of interfering with the employee's work performance, student's educational performance or creates an intimidating, hostile or offensive working or educational environment.

It is a violation of this policy to knowingly report false allegations of harassment. Persons found to knowingly report or corroborate false allegations will be subject to appropriate discipline.

**HARASSMENT:** Harassment is defined as 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. Policies such as the student conduct policy, the District's nondiscrimination policy, and the Code of Professional Ethics for Teachers and for Administrators prohibit inappropriate conduct and are incorporated by this reference into this policy. However, sexual harassment is a specific type of harassment and sexual harassment is prohibited under another District policy.

**BULLYING:** Bullying is repeated and intentional harmful behavior initiated by one or more students and directed towards another student. Bullying exists when a student with more social and or physical power deliberately dominates and harasses another who has less power. Bullying is unjustified and typically repeated. Bullying differs from conflict. Two or more students can have a disagreement or conflict. Bullying involves a power imbalance element where a bully targets a

student who has difficulty defending himself or herself. Persistent bullying can severely inhibit a student's ability to learn effectively or a member of the staff's ability to do their job. The negative effects of bullying can have an impact on a person for their entire life. We are committed to providing a caring, friendly and a safe environment for all of our students so they can learn in a relaxed and secure atmosphere. Bullying of any kinds is unacceptable. If bullying does occur, all pupils should be able to tell and know that incidents will be dealt with promptly and effectively.

**CYBER-BULLYING:** All forms of harassment over the Internet or other forms of electronic communications, including cell phones. Students and staff will refrain from using communication devices or District property to harass or stalk another. The District's computer network and the Internet, whether accessed at school or away from school, during or after school hours, may not be used for the purpose of cyber bullying. All forms of cyber bullying are unacceptable and viewed as a violation of this policy and the District's acceptable computer use policy and procedures.

In situations in which the cyber bullying originated from a non-school computer, but brought to the attention of school officials, any disciplinary action shall be based upon whether the conduct is determined to be severely disruptive of the educational process so that it markedly interrupts or severely impedes the day to day operations of a school. In addition, such conduct must also violate a school policy. Such conduct includes, but is not limited to, threats, or making threats off school grounds, to harm a member of the school-staff or a student.

This policy applies while students are on school property; while on school-owned or school-operated vehicles; while attending or engaged in school-sponsored activities, or while using school equipment.

If, after an investigation, a student is found to be in violation of this policy, the student shall be disciplined by appropriate measures up to, and including suspension and expulsion.

**REPORTING HARASSMENT / BULLYING:** Any individual who believe that he or she has been or is being subjected to harassing / bullying conduct 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 must submit a written complaint which must include the name of the person making the complaint, the person(s) alleged to have harassed / bullied the complaining party, the date(s) and nature of the harassment / bullying. In order to protect individuals against unfounded allegations, only those complaints put in writing and signed by the complaining individual will be formally investigated. The Title IX Coordinator is Julie Marshall, Timber Lake School, PO Box 1000, Timber Lake SD 57656, 605-865-3654. Persons with questions may contact the Kansas City Office, Office for Civil Rights, US Department of Education, 8930 Ward Parkway, Suite 2037, Kansas City, MO 64114-3302, Telephone 816-268-0550 Fax 816-823-1404, TDD 877-521-2172, email [OCR.KansasCity@ed.gov](mailto:OCR.KansasCity@ed.gov).

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**RETALIATION:** Retaliation against a person because the person has filed a bullying or harassment complaint or assisted or participated in the harassment investigation or proceeding is prohibited. An individual who knowingly files a false harassment complaint and a person who gives false statement in an investigation shall be subject to discipline by appropriate measures, as shall a person who is found to have retaliated against another in violation of this policy. A student found to have retaliated or filed a false complaint in violation of this policy shall be subject to measures up to, and including suspension and expulsion.

**INVESTIGATION:**

- (1) Should an individual come forward with a written complaint of harassment / bullying, an investigation of the alleged incident(s)/behavior(s) will be initiated. The District's investigation will include, but is not limited to, such things as what happened, when and over what period of time the conduct occurred, whether the conduct affects the employment or learning environment (and if so, in what matter), and possible verification from other employees, students or other individuals.
- (2) The person alleged to have harassed / bullied another person will be notified in that a complaint has been filed pursuant to this policy and that the complaint is being investigated. If deemed appropriate, an employee or student alleged to have harassed / bullied another person may be suspended from employment or school pending the outcome of the investigation.

4) At the conclusion of the investigation, the administration may up to the extent of administrative authority impose disciplinary action or 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.

(5) If there is reasonable suspicion to believe that a guest at school or at a school activity on non-school property harassed bullied 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 harassment / bullying 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 to 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 harassment / bullying, 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 with or without pay, terminate the employment contract, issue a written reprimand (a copy of which would be placed in the employee's file), pursuant to law determine not to renew the employee contract for the subsequent school year, file a Professional Practices Complaint, or more than one of the above, provided the same is not prohibited by District policy, the employment contract between the employee and District and State law.

(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. The Board may also refer the violation to the Department of Social Services or other authorities (i.e., State's Attorney, Court Services/Probation Officer, etc.).

### **NEPN Code: AI**

#### **Parent / Student / Public Complaints Policy**

Constructive criticism of the schools will be welcomed by the board when it is motivated by a sincere desire to improve the quality of the education program or to equip the schools to do their tasks more effectively.

Whenever a complaint is made directly to the board as a whole or to an individual board member, the individual and group involved will be advised to take their concern to the appropriate staff member.

Whenever a complaint is made directly to the board as a whole or to a board member as an individual, it will be referred to the school administration for study of possible solutions. The individual employee involved will be advised of the nature of the complaint and will be given opportunity for explanation, comment, and presentation of the facts as he/she sees them.



If a complaint which was presented to the board and referred back through proper channels, is adjusted before it comes back to the board, a report of the disposition of the matter will be made to the board and then placed in the official files.

### **COMPLAINT PROCEDURE**

1. The party making the complaint shall do so in writing on the COMPLAINT FORM and file it with the Superintendent or Board President within 10 calendar days of the person making the complaint knew or should have known of the circumstances giving rise to the complaint.
2. Within 5 school days of filing the complaint, a meeting shall be held between the individual filing the complaint and the school employee whose conduct or decision resulted in the complaint being filed.
3. If the matter is resolved at the meeting referred to in #2, the resolution shall be documented and filed with the Superintendent or Board President. If the matter is not resolved it may be appealed to the Principal, then the Superintendent and the Board of Education.
  - a. An appeal is to be in writing, signed and dated by the party filing the appeal, and indicating why in the opinion of the appealing party the decision was not appropriate.
  - b. Should the complaint be with respect to conduct or decision of a principal, the appeal is initiated at the Superintendent level. If the complaint relates to conduct or a decision of the Superintendent, the appeal is initiated at the Board level.
  - c. During the appeal at the Principal or Superintendent level, the Principal or Superintendent shall within 5 days of the appeal being filed meet with the party filing the appeal and with any other individual deemed necessary. Within 10 days of the appeal being filed, the Principal or Superintendent shall issue a written decision. The party filing the appeal shall receive a copy of the decision; copies shall also be given to the decision maker's immediate supervisor and the school employee from whose decision was appealed and filed.
  - d. Any decision by the Superintendent relative to a complaint, or should the Superintendent's conduct or decision be the basis of the complaint, may be appealed to the Board of Education in writing, consistent with #1, #2 and #3a above. The Board shall conduct an evidential hearing relative to the complaint, with the appealing party, the Superintendent, and other persons as may be deemed necessary in the discretion of the Board being present. Any individual whose attendance is necessary may be accompanied by a representative. The Board hearing shall be in executive session. The Board shall issue its decision in writing, within 45 days of the hearing. The appealing party, the Superintendent, and school employee whose conduct or decision was the basis of the complaint shall be provided copies of the Board's decision and a copy of the decision will be filed.
  - e. Any Board decision may be appealed to Circuit Court pursuant to SDCL 13-46-1.
  - f. Any person having a complaint shall be advised of this policy and procedure. Neither the principal, superintendent, board or individual board members shall make any decisions nor judgments regarding any complaint unless and until involvement of the principal, superintendent or board is required as set forth in this policy.

### **COMPLAINT FORM**

A complaint shall be in writing presented to the school staff/authorities alleging one or more of the following:

- A. That a rule is unfair; and/or
- B. That a rule in practice discriminates against or between student; and/or
- C. That school personnel used an unfair procedure in assessing a form of punishment against a student.
- D. Other

**COMPLAINT:**

I, \_\_\_\_\_ hereby file a complaint to \_\_\_\_\_.  
My complaint is based on A. \_\_\_\_\_ B. \_\_\_\_\_ C. \_\_\_\_\_ D. \_\_\_\_\_ above. (More than one blank may be checked)  
Specifically, my complaint is that on or about \_\_\_\_\_ (date), the rule, procedure, policy, law or regulation alleging  
to have been violated is: \_\_\_\_\_

The complaint is specifically that (include all relevant facts): \_\_\_\_\_

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SIGNATURE

The complaining party may be represented at all conferences and at the Board hearing by an adult. Failure to  
appear at the appointed time and place waives the right to the conference provided by the school, unless extenuating  
circumstances exist.

#### SCHOOL' S RECORD

##### Check One Blank

Teacher Level 1 \_\_\_\_\_

Principal Level 2 \_\_\_\_\_

Superintendent Level 3 \_\_\_\_\_

Board of Education Level 4 \_\_\_\_\_

DATE RECEIVED \_\_\_\_\_ DATE OF CONFERENCE \_\_\_\_\_

PLACE OF CONFERENCE \_\_\_\_\_ TIME OF CONFERENCE \_\_\_\_\_

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

RESOLUTION: \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE OF SCHOOL REPRESENTATIVE



## **Timber Lake School District 20-3 Indian Policies and Procedures (IPP) Impact Aid Program**

It is the intent of the Timber Lake School District that all American Indian children of school age have equal access to all programs, services and activities offered within the school district.

The Timber Lake School District will consult with local tribal officials and parents of Indian children in the planning and development of Indian Policies and Procedures (IPPs), general education programs, and activities. These policies and procedures will be reviewed annually and revisions will be made within 90 days of the determination that requirements are not being adequately met.

The following policies and accompanying procedures shall become effective upon School Board action.

**POLICY (1):** The Timber Lake School District will disseminate relevant applications, evaluations, program plans, and information related to educational programs and activities with sufficient advance notice to allow the Cheyenne River Sioux Tribe and Standing Rock Sioux Tribe and parents of Indian children the opportunity to review and make recommendations. [34CFR22 2.94(a)(1)]

### **PROCEDURES:**

The Timber Lake School District will disseminate information and seek timely input regarding the following programs (including, but not limited to): Title I, Part A; Title I, Part C; Title I, Part D; Title 11, Part A; Title III, Part A; Title IV, Part A; Title IV, Part B; Title V, Part B subpart 2; Title VI, Part A, subpart 1; Title VII-Impact Aid programs; and Johnson O'Malley programming.

The completed applications, evaluations, and program planning will be made available to Tribal officials as well as the Indian Education Committee. A summary will be prepared and available for dissemination one week before the public hearings in September and April. These hearings will be publically advertised to allow all interested patrons to attend. In addition, representatives from the District will schedule meetings with both the Cheyenne River Sioux Tribe and Standing Rock Sioux Tribe to seek input.

The Native American Education Committee and any other interested persons can review assessment data to help develop or modify educational programs and services allowing for the participation of Indian students on an equal basis in the district.

Minutes from the Native American Education meetings will be posted on the District's website for all patrons and Tribal officials to review. This will allow for ongoing dissemination of information.

POLICY (2): The Timber Lake School District will provide an opportunity for the Cheyenne River Sioux Tribe and Standing Rock Sioux Tribe and parents of Indian children to provide their views on the District's educational program and activities, including recommendations on the needs of their children and on how the District may help those children realize the benefits of the educational programs and activities.  
[34CFR222.94(a)(2)]

PROCEDURES:

The Native American Education Committee of the Timber Lake School District will meet at least quarterly for the purpose of addressing comments and concerns regarding the District's Native American educational programs and activities. The meeting agendas are posted and all meetings are open to the public allowing for tribal officials as well as parents of Indian children the opportunity to submit comments and recommendations for consideration.

A school board representative is a non-voting member of the Indian Education Committee. This representation allows for the discussion of the needs of the students and ideas to be brought forward to both the Indian Education Committee as well as the School Board.

Two public hearings are scheduled (September and April) which are specifically devoted to addressing questions regarding federal programs. Based upon suggestions, preferred methods of communication as well as ways to maximize participation from tribal officials and as parents of Indian children will be seriously considered.

The District representatives will schedule meetings with the Cheyenne River Sioux Tribe and Standing Rock Sioux Tribe to discuss ongoing programing goals.

POLICY (3): The Timber Lake School District will annually assess the extent to which Indian children participate on an equal basis with non-Indian children in the District's education program and activities.  
[34CFR222.94(a)(3)]

PROCEDURES:

The Timber Lake School District's Superintendent and school staff, in conjunction with the Native American Education Committee, will review annual survey data and comments gathered from families and students. The results of the data and its comments will be shared with all interested parties in the district. In addition, comments and/or suggestions brought forth from these conversations will become part of the Committee's approved minutes. This data will be utilized to develop appropriate supports for various programs.

During the public hearings in September and April, information will be gathered relating to Indian children's participation in the LEA's education programs and activities. This information will also be made available to both the Cheyenne River Sioux Tribe and Standing Rock Sioux Tribe. A summary will be prepared and available for dissemination one week before the public hearings in September and April.

POLICY (4): The Timber Lake School District will modify the IPPs if necessary, based upon the results of any assessment or input described in this document. [34CRF222.94(a){4}]

PROCEDURES:

During the organization meeting of the Native American Education Committee, the Indian Policies and Procedures will be reviewed and revised if necessary. Once this has happened, the document will be forwarded to the Timber Lake School Board as well as both the Cheyenne River Sioux Tribe and Standing Rock Sioux Tribe for review and consideration. If necessary, the Native American Education Committee may suggest revisions at other times of the year as appropriate. IPP revisions will be implemented within two weeks after school board approval.

POLICY (5): The Timber Lake School District will at least annually respond in writing to comments and recommendations made by both the Cheyenne River Sioux Tribe and Standing Rock Sioux Tribe or parents of Indian children, and disseminate the responses to all parties prior to the submission of the IPPs by the District. [34CRF222.94(a)(5)]

PROCEDURES:

The Native American Education Committee, the Superintendent, and building level staff will review parent and student input and surveys prior to the preparation of program applications. Information regarding this input will be available at the public hearings. A summary of the results of the surveys along with how the District proposes to address areas of concern will be distributed to all patrons during fall parent teacher conferences.

Any concerns that are brought forth through the Indian Education Committee or via conversations with both the Cheyenne River Sioux Tribe and Standing Rock Sioux Tribe will be responded to in an expedient manner. A summary of recommendations/suggestions will be kept on file for review and examination.

POLICY (6): The Timber Lake School District will annually provide a copy of the IPP to both the Cheyenne River Sioux Tribe and Standing Rock Sioux Tribe. [34CRF222.94(a){6}]

PROCEDURES:

The Timber Lake School District will annually provide a copy of the Indian Policy and Procedures to both the Cheyenne River Sioux Tribe and Standing Rock Sioux Tribe for review and approval.

Adopted & Reviewed Annually in August DATE  
SCHOOL BOARD PRESIDENT

Revised: 6/11/18  
Updated: 9/13/2017

Signatures represent approval by the designated councils/boards of the attached Indian Policies and Procedures:

Tribal Official	Date
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Indian Education Committee Chairperson	Date
--	------

Timber Lake School District Superintendent	Date
--	------

Timber Lake School Board President	Date
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**NEPN Code: AK**

### **Discrimination Policy**

It is the policy of the Timber Lake School District #20-3 that no person be subjected to discrimination on the basis of race, national origin, religion, sex, age, physical and mental disabilities or marital status in any program, service, or activity for which the school district is responsible as required by Title IX, PL. 93-112, Sec. 504, affirmative action, and the Americans with Disabilities Act compliance activities, and other state and federal laws. Persons with questions may contact the Kansas City Office, Office for Civil Rights, US Department of Education, 8930 Ward Parkway, Suite 2037, Kansas City, MO 64114-3302, Telephone 816-268-0550 Fax 816-823-1404, TDD 877-521-2172, email OCR.KansasCity@ed.gov. Any person wishing to discuss his/her rights under the School District's non-discrimination policies, contact the Superintendent, Box 1000, Timber Lake, SD, 57656; Phone 605-865-3654.

The Self-Assessment/program review instrument. The guidance staff will periodically review program enrollment, course enrollments, and involvement in extra-curricular activities on the basis of race, gender, disability, or national origin.

Self-evaluation; The Timber Lake School Title IX Director will see that a self-evaluation for gender equity (Title IX), disability equity (section 504 vocational rehabilitation act) and employment equity, for Title IX and Section 504, and will keep the self-evaluation results and recommendations on file for at least three years. The Title IX and Section 504 director is Julie Marshall, PO Box 1000, Timber Lake, SD 57656, 605-865-3654, Fax 605-865-3294.

Policy on student pregnancy and parental status; the Timber Lake School does have a policy on student pregnancy and parental status. The policy is that each situation will be handled individually to best accommodate the student, teaching staff, and the school as a whole. (Revised 12/99)

**NEPN Code: AL**

### **Timber Lake School District 20-3 K-12 Wellness Policy**

**Rationale:** A healthy school environment goes beyond school meals in the cafeteria. Living a healthy lifestyle and maintaining a healthy weight requires a combination of healthy food choices, knowledge of nutrition, and appropriate amounts of physical activity. All foods made available on school campuses should offer children nutritious choices. Nutrition education and physical education and physical activity should be incorporated into the school day as often as possible. The healthy, nutritionally astute, and physically active child is more likely to be academically successful.

The federal government recognizes that a coordinated effort by the entire community including child nutrition professionals, school board members, parents, students, school administrators, teachers and business community is warranted. These efforts involve adults serving as role models and community member's being informed of the policies that improve the long-term health and well-being of students. The local agency has a strategic role to play in improving the health and well-being of children.

All aspects of this wellness policy are subject to administrative discretion.

#### **Physical Activity Component**

The primary goal for the school's physical activity component is to provide opportunities for every student to develop the skills for specific physical activities, maintain physical fitness, and regularly participate in physical activity. It is the goal of the Timber Lake School District to provide physical activity in the following ways.

#### **Daily Physical Education Classes K-12**

- ☐ All students in grades K-8 will receive daily physical education (or its equivalent of 150 minutes per week for elementary school students). Students will spend at least 50 percent of physical education class time participating in moderate to vigorous physical activity.
- ☐ the physical education curriculum should demonstrate progression and sequence and be consistent with South Dakota and/or National Physical Education standards for Pre-k through grade 12.
- ☐ All physical education will be taught by highly qualified physical education teachers.
- ☐ Class teacher-to-student ratios should be equivalent to those of other subject area classes in the school.
- ☐ Student participation in other activities involving physical activity (e.g. interscholastic or intramural sports) will not be substituted for meeting the physical education requirement.

#### Physical Activity across the Curriculum

- ☐ Opportunities for physical activity are regularly incorporated into other subject areas (e.g. math, language arts, science, and social studies).

#### Daily Recess

- ☐ Elementary school students will have at least 20 minutes a day of supervised recess, preferably outdoors, during which students are encouraged (verbally and through the provision of space and equipment) to engage in moderate to vigorous physical activity.
- ☐ Recess will occur prior to lunch to ensure appropriate healthful food intake.
- ☐ extended periods of inactivity, two hours or more, are discouraged. When activities, such as mandatory school-wide testing, make it necessary for students to remain indoors for long periods of time, students will be given periodic breaks during which they are encouraged to stand and be moderately active.

#### **Nutrition Standards Component**

Students' life-long eating habits are greatly influenced by the types of foods and beverages available to them. Foods of good nutritional content including fruits, vegetables, low-fat dairy foods, and low-fat grain products will be available wherever and whenever food is sold or otherwise offered at school during the normal school day. Examples may include a la carte, snacks, vending machines, fund raising activities, parties, celebrations, and school sponsored events.

#### **General Guidelines**

- ☐ Food pricing strategies will be designed to encourage students to purchase nutritious items.
- ☐ Procedures will be in place for providing information to families, upon request, about the ingredients and nutritional values of the foods served.
- ☐ Food and beverages sold or served on school grounds or at school sponsored events during the normal school day will meet the Dietary Guidelines for Americans and the Standards for Food and Beverages set forth in this document.

#### **School Meal Program**

- ☐ the school food service program will operate in accordance with the National School Lunch Act and the Child Nutrition Act of 1996 as amended and with applicable laws and regulations of the state of South Dakota. All schools will comply with USDA regulations and state policies.
- ☐ Schools will offer varied and nutritious food choices that are consistent with the federal government's Dietary Guidelines for Americans. For the purpose of this policy, "Dietary Guidelines for Americans" refers to the current set of recommendations of the federal government that are designed to help people

choose diets that will meet nutrient requirements, promote health, support active lives, and reduce chronic disease risks.

- ☐ Menus will be planned with input from students, family members, and other school personnel and will take into account students' cultural norms and preferences.
- ☐ Students with special dietary needs (e.g. diabetes, celiac sprue, or allergies) will be accommodated as required by USDA regulation.

#### A La Carte Offerings in the Food Service Program

- ☐ A la carte items will meet the Standards for Food and Beverages set forth in this document.
- ☐ School food service departments will not sell extra portions of desserts, French fries, and/or ice cream.

#### Snacks

- ☐ Healthy snacks provided by the school will include fresh, dried, or canned fruits (in 100% juice only); vegetables; 1% or skim milk; and grains meeting the smart snacks and school nutrition standards.
- ☐ Snacks provided by students must be store-bought.

#### Parties and Celebrations

Schools should limit celebrations that involve food during the school day.

- ☐ the district will disseminate a list of healthy party ideas to parents and teachers.

#### School Sponsored Events (athletics, events, dances, performances)

- ☐ Healthy choices of food and beverages that meet the Standards for Food and Beverages will be offered at school-sponsored events outside the school day.

#### Vending Machines

- ☐ Vending machines with food and beverages will not be available in elementary schools.
- ☐ Vending machines will be reviewed on a regular basis for nutritional content and use by the student population.
- ☐ All foods and beverages sold in school vending must meet the Standards for Foods and Beverages and guidelines for vending machines set forth in this document.

#### Standards for Food and Beverages

- ☐ Beverages
  - o Provide 100% fruit and vegetable juices and limit portion sizes to 4-12 ounces.
  - o Provide water - non-carbonated and unflavored without added sugar, artificial sweeteners, or caffeine.
  - o Provide milk (skim or 1% fat) in portion sizes of 8-16 ounces. Flavored milk (chocolate or strawberry), low fat, or skim may be offered in up to 12 ounce serving sizes with no more than 36 grams of sugar in a 12 ounce portion.
  - o Reduce with the goal of eliminating the sale of soft drinks, sports drinks, punch, fruit drinks, iced tea, coffee and coffee-like beverages, and other items not included in allowable beverages listed above.
- ☐ Grains



- o A variety of whole wheat & grains will be served as part of the bread components as required in compliance with nutrient standards for traditional menu planning for different age groups.
- ☐ Fruits & Vegetables
  - o A variety of fruit and vegetable will be offered to meet the fruit and vegetable components as required in compliance with nutrient standards for traditional menu planning for different age groups.
- ☐ Condiments & Miscellaneous
  - o Effort will be made to give choices including herbs and spices.
  - o Salt shakers will be removed from tables.

## **Wellness Education Component**

### Nutrition Education

At each grade level nutrition education will be offered as part of a cumulative, comprehensive, standards-based program designed to provide students with the knowledge and skills necessary to promote their health. Nutrition education will be incorporated into the school day as often as possible. The primary goal of nutrition education is to influence students' eating behavior. It is the goal of the Timber Lake School District to provide nutrition education in the following ways.

- ☐ teaches consistent scientifically-based nutrition messages throughout the school, classroom, cafeteria, home, community, and media;
- ☐ is part of health education classes and/or stand-alone courses;
- ☐ includes the school cafeteria which serves as a “learning laboratory” to allow students to apply critical thinking skills taught in the classroom;
- ☐ uses the South Dakota Health Education Standards and addresses nutrition concepts progressively in grades K-12;
- ☐ provides enjoyable, developmentally appropriate, culturally relevant, and participatory activities (e.g. contests, promotions, taste testing, farm visits, and school gardens);
- ☐ Offers information to families that encourage them to teach their children about health and nutrition, and assists them in planning nutritious meals for their families;
- ☐ will include a school nutrition/health team, such as a Team Nutrition or Coordinated School Health, to conduct nutrition education activities and promotions that involve parents, students, and the community.
- ☐ Community Partnerships with Horizon, Missouri Breaks, Youth Diabetes Prevention, and others.

### Physical Activity Education

The primary goal for the school's physical activity education is to provide opportunities for every student to gain knowledge and understanding of the short and long-term benefits of a physically active and a healthful lifestyle.

### Professional Development

The Timber Lake School District will provide ongoing professional development and wellness education for food service professionals, educators, administrators and other staff.

## **Other School-Based Activities Component**

The Timber Lake School District will create an environment that provides consistent wellness messages, is conducive to healthy eating and physical activity; and contributes to forming healthy life-long habits.

### Eating Environment

- ☐ Students and staff will have adequate space to eat meals in clean, safe, pleasant surroundings and will have adequate time scheduled as near the middle of the school day as possible to eat, relax, and socialize.
- ☐ Safe drinking water and convenient access to facilities for hand-washing and oral hygiene will be available during all meal periods.
- ☐ Consideration will be given for passing time, bathroom break, hand washing, and socializing so as to allow ten minutes for breakfast and twenty minutes for lunch

### Rewards/Incentives/Consequences

- ☐ Rewards and incentives will be given careful consideration as to the messages they send to the students receiving them. Food will not be used as a reward or incentive in the classroom, but other, more appropriate rewards may be used (e.g. extra free time, pencils, or bookmarks).
- ☐ Food will not be withheld from students as a consequence for inappropriate behavior or poor academic performance.
- ☐ Teachers and other school personnel will not prohibit or deny student participation in recess or other physical activity as a consequence for inappropriate behavior or poor academic performance; nor will they cancel recess or other physical activity for instructional make-up time.

### Use of School Facilities Outside of School Hours

- ☐ School spaces and facilities will be available when possible, to students, staff, and community members before, during, and after the school day; on weekends; and during School vacations.
- ☐ the school will facilitate partnerships to institute recreation programs utilizing school facilities when possible.
- ☐ Schools will educate the community, including parents and staff, about utilizing the facility. These spaces and facilities also will be available to community agencies and organizations offering physical activity and nutrition programs.
- ☐ School policies concerning safety will apply at all times.

### Fundraising

- ☐ School fundraising activities will support healthy lifestyles. Such activities may include physical activity (e.g. walk-a-thon), school support (e.g. selling school memorabilia) and/or academic achievement (e.g. spelling bee).
- ☐ the sale of food or beverages as a fund raiser will not take place from one hour before and one hour after the breakfast and lunch service.

- ☐ Schools will encourage fundraising activities that promote physical activity.
- ☐ the school district will make available a list of ideas for acceptable fundraising activities.
- ☐ Effort will be made that at least 50% of the fund-raising activities will not involve the sale of food and/or beverages. See fundraising policy.

### Wellness Committee

- ☐ The Timber Lake School District will develop a Wellness Committee comprised of school personnel, community members, and students to plan, implement, and assess ongoing activities that promote healthy lifestyles, particularly physical activity and nutrition for all age groups within the school community.

### **Definitions**

A La Carte: Additional and separately priced foods.

Dietary Guidelines for Americans: dietary recommendations for healthy Americans age 2 years and over about food choices that promote health, specifically with respect to prevention or delay of chronic diseases.

Physical Activity: any bodily movement produced by skeletal muscles that result in an expenditure of energy (The Center for Disease Control and Prevention).

Normal School Day: time period spanning from the first bell of the day that begins the first class period to the last bell of the day ending the final class period.

Vending Machine: a coin operated machine for the sale

### **Accountability**

Public Involvement: Public will be invited to participate in Timber Lake Schools wellness activities.

Public Updates: Timber Lake School will use their website, school board meetings and local media to communicate with the public.

Policy Leadership: Timber Lake Administration will encourage parents, students, representatives of the school food authority, teachers of physical education, school health professionals, the school board, school administrators, and the general public to participate in the development, implementation, review, and update of the local wellness policy.

Evaluation Plan: Timber Lake School District will evaluate their wellness policy routinely while staying compliant with the district policy. Surveys to students, parents, and staff will take place as needed.

Revised: 6-14-2017

### Nutrition Education:

- ☐ Teaches consistent scientifically-based nutrition messages throughout the school, classroom, cafeteria, home, community, and media;

- ☐ Is part of health education classes and/or stand-alone courses;
- ☐ Includes the school cafeteria which serves as a “learning laboratory” to allow students to apply critical thinking skills taught in the classroom;
- ☐ Uses the South Dakota health Education Standards and addresses nutrition concepts progressively in grades K-12;
- ☐ Provides enjoyable, developmentally appropriate, culturally relevant, and participatory activities (e.g. contests, promotions, taste testing, farm visits, and school gardens);
- ☐ Offers information to families that encourage them to teach their children about health and nutrition, and assists them in planning nutritious meals for their families;
- ☐ Will include a school nutrition/health team, such as a Team Nutrition or Coordinated School Health, to conduct nutrition education activities and promotions that involve parents, students, and the community.

### **Physical Activity Component**

The primary goal for the school’s physical activity component is to provide opportunities for every student to develop the knowledge and skills for specific physical activities, maintain physical fitness, regularly participate in physical activity, and understand the short and long-term benefits of a physically active and healthful lifestyle.

#### **Daily Physical Education Classes K-12**

- ☐ All students in grades K-8 will receive daily physical education (or its equivalent of 150minutes per week for elementary school students). Students will spend at least 50 percent of physical education class time participating in moderate to vigorous physical activity.
- ☐ The physical education curriculum should demonstrate progression and sequence and be consistent with South Dakota and/or National Physical Education standards for Pre-k through grade 12.
- ☐ All physical education will be taught by highly qualified physical education teachers.
- ☐ Class teacher-to-student ratios should be equivalent to those of other subject area classes in the school.
- ☐ Student participation in other activities involving physical activity (e.g. interscholastic or intramural sports) will not be substituted for meeting the physical education requirement.

#### **Physical Activity across the Curriculum**

- ☐ Opportunities for physical activity are regularly incorporated into other subject areas (e.g. math, language arts, science, and social studies.).

### Daily recess:

- ☐ Elementary school students will have at least 20 minutes a day of supervised recess, preferably outdoors, during which students are encouraged (verbally and through the provision of space and equipment) to engage in moderate to vigorous physical activity.
- ☐ Recess will occur prior to lunch to ensure appropriate healthful food intake.
- ☐ Extended periods of inactivity, two hours or more, are discouraged. When activities, such as mandatory school-wide testing, make it necessary for students to remain indoors for long periods of time, students will be given periodic breaks during which they are encouraged to stand and be moderately active.

### Nutrition Standards Component

Students' life-long eating habits are greatly influenced by the types of foods and beverages available to them. Foods of good nutritional content including fruits, vegetables, low-fat dairy foods, and low-fat grain products will be available wherever and whenever food is sold or otherwise offered at school during the normal school day. Examples may include a la carte, snacks, vending machines, fund raising activities, parties, celebrations, and school sponsored events.

### **General Guidelines**

Ü Food pricing strategies will be designed to encourage students to purchase nutritious items.

Ü Procedures will be in place for providing information to families, upon request, about the ingredients and nutritional values of the foods served.

Ü Food and beverages sold or served on school grounds or at school sponsored events during the normal school day will meet the Dietary Guidelines for Americans and the Standards for Food and Beverages set forth in this document.

### **School Meal Program**

Ü The school food service program will operate in accordance with the National School Lunch Act and the Child Nutrition Act of 1996 as amended and with applicable laws and regulations of the state of South Dakota. All schools will comply with USDA regulations and state policies.

Ü Schools will offer varied and nutritious food choices that are consistent with the federal government's Dietary Guidelines for Americans. For the purpose of this policy, "Dietary Guidelines for Americans" refers to the current set of recommendations of the federal government that are designed to help people choose diets that will meet nutrient requirements, promote health, support active lives, and reduce chronic disease risks.

Ü Menus will be planned with input from students, family members, and other school personnel and will take into account students' cultural norms and preferences.

Ü Students with special dietary needs (e.g. diabetes, celiac sprue, or allergies) will be accommodated as required by USDA regulation.

## **A La Carte Offerings in the Food Service Program**

Ü A la carte items will meet the Standards for Food and Beverages set forth in this document.

Ü School food service departments will not sell extra portions of desserts, French fries, and/or ice cream.

## **Snacks**

Ü Healthy snacks **provided by the school** will include fresh, dried, or canned fruits (in 100% juice only); vegetables; 1% or skim milk; and grains meeting the smart snacks and school nutrition standards.

Ü **Snacks provided by students must be store-bought.**

## **Parties and Celebrations**

Ü Schools should limit celebrations that involve food during the school day.

Ü The district will disseminate a list of healthy party ideas to parents and teachers.

## **School Sponsored Events (athletics, events, dances, performances)**

Ü Healthy choices of food and beverages that meet the Standards for Food and Beverages will be offered at school-sponsored events outside the school day.

## **Vending Machines**

Ü Vending machines with food and beverages will not be available in elementary schools.

Ü Vending machines will be reviewed on a regular basis for nutritional content and use by the student population.

Ü All foods and beverages sold in school vending must meet the Standards for Foods and Beverages and guidelines for vending machines set forth in this document.

## **Standards for Food and Beverages**

Ü Beverages

- Provide 100% fruit and vegetable juices and limit portion sizes to 4-12 ounces.

- Provide water - non-carbonated and unflavored without added sugar, artificial sweeteners, or caffeine.

- Provide milk (skim or 1% fat) in portion sizes of 8-16 ounces. Flavored milk (chocolate or strawberry), low fat, or skim may be offered in up to 12 ounce serving sizes with no more than 36 grams of sugar in a 12 ounce portion.

- o Reduce with the goal of eliminating the sale of soft drinks, sports drinks, punch, fruit drinks, iced tea, coffee and coffee-like beverages, and other items not included in allowable beverages listed above.

### **Ü Grains**

- o A variety of whole wheat & grains will be served as part of the bread components as required in compliance with nutrient standards for traditional menu planning for different age groups.

### **Ü Fruits & Vegetables**

- O A variety of fruit and vegetable will be offered to meet the fruit and vegetable components as required in compliance with nutrient standards for traditional menu planning for different age groups.

### **Ü Condiments & Miscellaneous**

- O Effort will be made to give choices including herbs and spices.

- O Salt shakers will be removed from tables.

## **Wellness Education Component**

### **Nutrition Education**

At each grade level nutrition education will be offered as part of a cumulative, comprehensive, standards-based program designed to provide students with the knowledge and skills necessary to promote their health. Nutrition education will be incorporated into the school day as often as possible. The primary goal of nutrition education is to influence students' eating behavior. It is the goal of the Timber Lake School District to provide nutrition education in the following ways.

- Ü Teaches consistent scientifically-based nutrition messages throughout the school, classroom, cafeteria, home, community, and media;

- Ü Is part of health education classes and/or stand-alone courses;

- Ü Includes the school cafeteria which serves as a “learning laboratory” to allow students to apply critical thinking skills taught in the classroom;

- Ü Uses the South Dakota Health Education Standards and addresses nutrition concepts progressively in grades K-12;

- Ü provides enjoyable, developmentally appropriate, culturally relevant, and participatory activities (e.g. contests, promotions, taste testing, farm visits, and school gardens);

- Ü Offers information to families that encourage them to teach their children about health and nutrition, and assists them in planning nutritious meals for their families;

Ü will include a school nutrition/health team, such as a Team Nutrition or Coordinated School Health, to conduct nutrition education activities and promotions that involve parents, students, and the community.

Ü Community Partnerships with Horizon, Missouri Breaks, Youth Diabetes Prevention, and others.

### Physical Activity Education

The primary goal for the school's physical activity education is to provide opportunities for every student to gain knowledge and understanding of the short and long-term benefits of a physically active and a healthful lifestyle.

### Professional Development

The Timber Lake School District will provide ongoing professional development and wellness education for food service professionals, educators, administrators and other staff.

### **Other School-Based Activities Component**

The Timber Lake School District will create an environment that provides consistent wellness messages, is conducive to healthy eating and physical activity; and contributes to forming healthy life-long habits.

### Eating Environment

Ü Students and staff will have adequate space to eat meals in clean, safe, pleasant surroundings and will have adequate time scheduled as near the middle of the school day as possible to eat, relax, and socialize.

Ü Safe drinking water and convenient access to facilities for hand-washing and oral hygiene will be available during all meal periods.

Ü Consideration will be given for passing time, bathroom break, hand washing, and socializing so as to allow ten minutes for breakfast and twenty minutes for lunch.

### Rewards/Incentives/Consequences

Ü Rewards and incentives will be given careful consideration as to the messages they send to the students receiving them. Food will not be used as a reward or incentive in the classroom, but other, more appropriate rewards may be used (e.g. extra free time, pencils, or bookmarks).

Ü Food will not be withheld from students as a consequence for inappropriate behavior or poor academic performance.

Ü Teachers and other school personnel will not prohibit or deny student participation in recess or other physical activity as a consequence for inappropriate behavior or poor academic performance; nor will they cancel recess or other physical activity for instructional make-up time.

### Use of School Facilities Outside of School Hours



Ü School spaces and facilities will be available when possible, to students, staff, and community members before, during, and after the school day; on weekends; and during school vacations.

Ü The school will facilitate partnerships to institute recreation programs utilizing school facilities when possible.

Ü Schools will educate the community, including parents and staff, about utilizing the facility. These spaces and facilities also will be available to community agencies and organizations offering physical activity and nutrition programs.

Ü School policies concerning safety will apply at all times.

### Fundraising

Ü School fundraising activities will support healthy lifestyles. Such activities may include physical activity (e.g. walk-a-thon), school support (e.g. selling school memorabilia) and/or academic achievement (e.g. spelling bee).

Ü The sale of food or beverages as a fund raiser will not take place from one hour before and one hour after the breakfast and lunch service.

Ü Schools will encourage fundraising activities that promote physical activity.

Ü The school district will make available a list of ideas for acceptable fundraising activities.

Ü Effort will be made that at least 50% of the fund-raising activities will not involve the sale of food and/or beverages. See fundraising policy.

### Wellness Committee

Ü the Timber Lake School District will develop a Wellness Committee comprised of school personnel, community members, and students to plan, implement, and assess ongoing activities that promote healthy lifestyles, particularly physical activity and nutrition for all age groups within the school community.

### **Definitions**

A La Carte: Additional and separately priced foods.

Dietary Guidelines for Americans: dietary recommendations for healthy Americans age 2 years and over about food choices that promote health, specifically with respect to prevention or delay of chronic diseases.

Physical Activity: any bodily movement produced by skeletal muscles that result in an expenditure of energy (The Center for Disease Control and Prevention).

Normal School Day: time period spanning from the first bell of the day that begins the first class period to the last bell of the day ending the final class period.

Vending Machine: a coin operated machine for the sale

## **Accountability**

Public Involvement: Public will be invited to participate in Timber Lake Schools wellness activities.

Public Updates: Timber Lake School will use their website, school board meetings and local media to communicate with the public.

Policy Leadership: Timber Lake Administration will encourage parents, students, representatives of the school food authority, teachers of physical education, school health professionals, the school board, school administrators, and the general public to participate in the development, implementation, review, and update of the local wellness policy.

Evaluation Plan: Timber Lake School District will evaluate their wellness policy routinely while staying compliant with the district policy. Surveys to students, parents, and staff will take place as needed.

Revised: 6-28-2017

## Rewards/Incentives/Consequences

- ☐ Teachers and other school and community personnel will not use physical activity (e.g., running laps) as punishment
- ☐ or withhold opportunities for physical activity (e.g., recess, physical education) as punishment except with administrative approval.
- ☐ Students will not be denied physical activity for purposes of make-up work, testing, etc. except with administrative approval.

## Use of School Facilities Outside of School Hours

- ☐ School spaces and facilities will be available when possible, to students, staff, and community members before, during, and after the school day; on weekends; and during school vacations.
- ☐ Schools will educate the community, including parents and staff, about utilizing the facility. These spaces and facilities also will be available to community agencies and organizations offering physical activity and nutrition programs.
- ☐ School policies concerning safety will apply at all times.

## Wellness Council/Committee

- ☐ Schools will develop a Wellness Council/Committee comprised of school personnel, community members, and students to plan, implement, and assess ongoing activities that promote healthy lifestyles, particularly physical activity for all age groups within the school community.

#### **Other School-Based Activities Component**

- ☐ Schools will create an environment that provides consistent wellness messages, is conducive to healthy eating and physical activity; and contributes to forming healthy life long habits.

#### Professional Development

- ☐ Schools will provide ongoing professional development and education for foodservice professionals, educators, administrators and other staff.

#### Eating Environment

- ☐ Students and staff will have adequate space to eat meals in clean, safe, pleasant surroundings and will have adequate time scheduled as near the middle of the school day as possible to eat, relax, and socialize.
- ☐ Safe drinking water and convenient access to facilities for hand washing and oral hygiene will be available during all meal periods.
- ☐ Consideration will be given for passing time, bathroom break, hand washing, and socializing so as to allow ten minutes for breakfast and twenty minutes for lunch.
- ☐ Recess Before Lunch

O Schools will schedule recess for elementary grades before lunch when possible so that children will come to lunch less distracted and ready to eat. Activity before lunch also encourages nutrient intake.

#### Rewards, Incentives, and Consequences

It is the goal of Timber Lake School that:

- ☐ Rewards and incentives will be given careful consideration as to the messages they send to the students receiving them. Food will not be used as a reward or incentive in the classroom, but other, more appropriate rewards may be used (e.g. extra free time, pencils, bookmarks,).
- ☐ Food will not be withheld from students as a consequence for inappropriate behavior or poor academic performance.
- ☐ Teachers and other school personnel will not prohibit or deny student participation in recess or other physical activity as a consequence for inappropriate behavior or poor academic performance; nor will they cancel recess or other physical activity for instructional make-up time.

#### Community Access to Facilities for Physical Activity

- ☐ Schools will provide community access to the school's physical activity facilities outside of the normal school day and/or form city-school partnerships to institute recreation programs utilizing school facilities when possible.

#### Vending Machines

- ☐ Vending machines with food and beverages will not be available in elementary schools.

- ☐ Vending machine will be reviewed on a regular basis for nutritional content and use by the student population.

### Fundraising

- ☐ School fundraising activities will support healthy lifestyles. Such activities may include physical activity (e.g. walk-a-thon), school support (e.g. selling school memorabilia) and/or academic achievement (e.g. spelling bee).
- ☐ The sale of food or beverages as a fund raiser will not take place from one hour before and one hour after the breakfast and lunch service.
- ☐ Schools will encourage fundraising activities that promote physical activity.
- ☐ The school district will make available a list of ideas for acceptable fundraising activities.

### Wellness Councils

- ☐ School will organize local wellness councils comprised of parents, teachers, administrators, foodservice personnel, and students to plan, implement, and improve nutrition and physical activity within the school environment.

### **Nutrition Standards Component**

Students' life-long eating habits are greatly influenced by the types of foods and beverages available to them. Foods of good nutritional content including fruits, vegetables, low-fat dairy foods, and low-fat grain products will be available wherever and whenever food is sold or otherwise offered at school during the normal school day. Examples may include a la carte, snacks, vending machines, fund raising activities, parties, celebrations, and school sponsored events.

### General Guidelines

- ☐ Food pricing strategies will be designed to encourage students to purchase nutritious items.
- ☐ Procedures will be in place for providing information to families, upon request, about the ingredients and nutritional values of the foods served.
- ☐ Food and beverages sold or served on school grounds or at school sponsored events during the normal school day will meet the Dietary Guidelines for Americans and the Standards for Food and Beverages set forth in this document.

### School Meal Program

- ☐ The school food service program will operate in accordance with the National School Lunch Act and the Child Nutrition Act of 1996 as amended and with applicable laws and regulations of the state of South Dakota. All schools will comply with USDA regulations and state policies.
- ☐ Schools will offer varied and nutritious food choices that are consistent with the federal government's Dietary Guidelines for Americans. For the purpose of this policy, "Dietary Guidelines for Americans" refers to the current set of recommendations of the federal government that are designed to help people choose diets that will meet nutrient requirements, promote health, support active lives, and reduce chronic disease risks.
- ☐ Menus will be planned with input from students, family members, and other school personnel and will take into account students' cultural norms and preferences.
- ☐ Students with special dietary needs (e.g. diabetes, celiac disease, allergies,) will be accommodated as required

### A La Carte Offerings in the Food Service Program

- ☐ A la carte items will meet the Standards for food and Beverages set forth in this document.
- ☐ School food service departments will not sell extra portions of desserts, French fries, and/or ice cream.

#### Snacks

- ☐ Healthy snacks will include fresh, dried, or canned fruits (in 100% juice only); vegetables; 1% or skim milk; and grains meeting the Standards for Food and Beverages set forth in this document.

### Fundraising

- ☐ Effort will be made that at least 50% of the fund raising activities will not involve the sale of food and/or beverages. If food and/or beverages are offered they will meet the Standards for Food and Beverages.

### Parties and Celebrations

- ☐ Schools should limit celebrations that involve food during the school day.
- ☐ Each party should include no more than one food or beverage that does not meet the Standards for Food and Beverages on the food pyramid.
- ☐ The district will disseminate a list of healthy party ideas to parents and teachers.

### School Sponsored Events (such as but not limited to athletic events, dances, or performances)

- ☐ Healthy choices of food and beverages that meet the Standards for Food and Beverages will be offered at school-sponsored events outside the school day.

### Vending Machines

- ☐ All foods and beverages sold in school vending must meet the Standards for Foods and Beverages and guidelines for vending machines set forth in this document.

### Standards for Food and Beverages

#### **1. Beverages:**

- a. Provide 100% fruit and vegetable juices and limit portion sizes to 4-12 ounces.
- b. Provide water - non-carbonated and unflavored without added sugar, artificial sweeteners, or caffeine.
- c. Provide milk-skim or 1% in portion sizes of 8-16 ounces.
  1. Flavored milk (chocolate or strawberry), low fat, or skim may be offered in up to 12 ounce serving sizes with no more than 36 grams of sugar in a 12 ounce portion.
- d. Reduce with the goal of eliminating the sale of soft drinks, sports drinks, punch, fruit drinks, iced tea, coffee and coffee-like beverages, and other items not included in allowable beverages listed above.

#### **2. Grains:**

- a. A variety of whole wheat & grains will be served as part of the bread components as required in compliance with nutrient standards for traditional menu planning for different age groups.

#### **3. Fruits and Vegetables:**

A variety of fruit and vegetable will be offered to meet the fruit and vegetable components as required in compliance with nutrient standards for traditional menu planning for different age groups.

**5. Condiments and miscellaneous:**

- a. Offer salad dressing containing no more than 6 - 12 grams of fat per ounce.
- b. Remove salt shakers from tables.

**DEFINITIONS**

**A La Carte:** additional and separately priced foods.

**Dietary Guidelines for Americans:** dietary recommendations for healthy Americans age 2 years and over about food choices that promote health, specifically with respect to prevention or delay of chronic diseases.

**Physical Activity:** the Center for Disease Control and Prevention (CDC) defines physical activity as any bodily movement produced by skeletal muscles that result in an expenditure of energy.

**Normal School Day:** time period spanning from the first bell of the day that begins the first class period to the last bell of the day ending the final class period.

**Vending Machine:** a coin operated machine for the sale of merchandise.

**NEPN Code: AM**

**DISABILITIES ACT**

TIMBER LAKE SCHOOL DISTRICT 20-3  
PLAN FOR COMPLIANCE WITH  
AMERICANS WITH DISABILITIES ACT

NAME OF UNIT: TIMBER LAKE SCHOOL DIST. 20-3  
ADDRESS OF FACILITY: 500 MAIN STREET  
BOX 1000  
Timber Lake, SD 57656

NAME OF PERSON COMPLETING PLAN: FRANK SEILER, SUPT.

On November 9, 1992 at the regular meeting of the Timber Lake School Board, the board appointed the following persons to a committee to ensure compliance with the Americans with Disabilities Act:

Frank Quinn - Board Member  
Marcia O'Leary - Board Member  
Frank Seiler - Superintendent

The committee met on Dec. 14, 1992 to survey our facility for immediate and future needs. As a result of that survey, several structural changes were ordered, and completion dates assigned. It was also established that the superintendent of the district would produce this plan.

Our district will accomplish the following:

- . Complete a self-evaluation of services, policies and practices by January 26, 1993;
- . Designate a coordinator for the ADA who coordinates compliance and investigates complaints;
- . Provide a notification process for employees, participants and beneficiaries;

- . Develop a transition plan for facilities modifications which is open for public inspection.

## GENERAL PROVISIONS

### PERSONNEL PRACTICES

It will be the practice of the Timber Lake School District in hiring personnel to guarantee non-discrimination in the selection of candidates, including candidates with mental or physical disabilities, so long as their disabilities do not impair their ability to perform the essential functions of the job. It will also be the practice of the district to ensure non-discrimination of any employee that may be terminated, that termination is not based on their mental or physical disabilities, which do not impair their ability to perform the essential functions of their assignment. The district also understands its obligation to make reasonable modifications for applicants or present employees of the district to accommodate their needs. Reasonable modifications would include possible structural changes or restructuring schedules to accommodate the individual with disability. If the district would face undue hardship in terms of cost, administration, or in changes to our programs, then the accommodations would not be required. If the disability would pose a risk of harm to them or other persons and modifications do not reduce the risk, then the district is not obligated to accommodate. Discrimination is prohibited in all employment practices, including job application procedures, hiring, firing, advancement, compensation, training, and other terms, conditions, and privileges of employment. It applies to recruitment, advertising, tenure, layoff, leave, fringe benefits and all other employment-related activities. It applies to all "qualified individuals with disabilities".

### PROGRAM ACCESSIBILITY

The Timber Lake School District will not refuse a person with a disability to participate in a service, program or activity simply because the person has a disability. Our programs and services will be in an integrated setting, unless separate or different measures are necessary to ensure equal opportunity. Unnecessary eligibility standards or rules that deny individuals with disabilities an equal opportunity to enjoy their services, programs or activities unless "necessary" for the provisions of the service, program or activity will be eliminated. Requirements that tend to screen out individuals with disabilities are prohibited. The district will make reasonable modifications in policies, practices and procedures that deny equal access to individuals with disabilities, unless a fundamental alteration in the program would result. Our district will furnish auxiliary aids and services when necessary to ensure effective communication, unless an undue burden or fundamental alteration would result. We will not place special charges on individuals with disabilities to cover the costs of measures required to provide program accessibility.

The Timber Lake School District may not remove all existing physical barriers that make locations inaccessible, but will make our programs accessible to individuals who are unable to use inaccessible areas of the facility. The program may be made accessible by means such as relocating a service to an accessible facility, providing an aide or personal assistant to enable an individual with a disability to obtain the service, or providing the benefits or services at an individual's home, or at an alternative accessible site. Our district is not required to take any action that would result in a fundamental alteration in the nature of the service, program or activity or in undue financial and administrative burdens.

Our district will ensure that newly constructed buildings and facilities are free of architectural and communication barriers that restrict access or use by individuals with disabilities. When alterations to existing buildings take place, it will ensure that altered portions are accessible. Our district can choose between the following two technical standards for accessible design: The Uniform Federal Accessibility Standard (UFAS), or the Americans with Disability Act Accessibility Guidelines.

### ENFORCEMENT

Private parties may bring lawsuits to enforce their rights under Title II of ADA. Damages and attorney fees may be awarded. Individuals may also file complaints with appropriate administrative agencies. Eight federal agencies are designated to handle Title II complaints. Complaints may also be filed with any Federal agency that provides financial assistance to our district, or with the Department of Justice, which will refer the complaint to the appropriate agency.

### APPEAL PROCESS

Any disabled citizen can appeal to the district for complaints concerning employment practices, program accessibility or other matters regarding their rights under the Americans with Disabilities Act. Their appeal should be directed to the Designated Person for ADA Compliance in our district, who will be the superintendent. Their appeal will be handled in accordance with existing grievance procedures as established by the Timber Lake School District and as applicable to ADA standards.

#### NOTIFICATION PROCESS

The GENERAL PROVISIONS section of this plan will be published each year in the following:

- A. Teacher Handbook
- B. Elementary Handbook
- C. High School Handbook
- D. Middle School Handbook 8/02

The following statement will be published in the Timber Lake Topic with the issue containing opening of school information:

"The Timber Lake School District complies with the requirements of the Americans with Disabilities Act regarding personnel and program services. The compliance plan is available in the office of the superintendent, and any complaints regarding rights under the Act should be addressed to the designated person, which is the superintendent."

*First Reading: December 14, 1992*

*Adoption Date: January 11, 1993*

Reviewed: September 2007

Reviewed: 8-11-2008

Reviewed: 8-10-2009

Reviewed: 9-13-2010

#### Timber Lake School District 20-3 Accessibility Plan for Americans with Disabilities Act

1. All entrances to the school except the main entrance are locked. The main entrance on the east side of the school is handicapped accessible. Designated parking spaces are available in front of the east main entrance, one on either side of the cement ramp. The parking areas are designated by paint on the curb and a sign on the building.
2. Bathrooms are modified to accommodate citizens with disabilities.  
Both male and female bathrooms are modified with proper stalls and fixtures according to USAF standards. One stall is provided in each bathroom and bathrooms have handicapped accessibility markings displayed.

Adopted: August 13, 2012  
Timber Lake School Board

The United States Architectural & Transportation Barriers Compliance Board, 111 Eighteenth Street, NW, Suite 501, Washington DC, 20036-3894. Telephone 202-653-7834

#### **Timber Lake School District 20-3**



## Non-discrimination Notice

Timber Lake School District 20-3 does not discriminate on basis of handicap, race, color, national origin, sex or age in access to employment in, or in the provision of, any of Timber Lake School District's programs, benefits, or activities. The following person has been designated to handle inquiries regarding this policy:

Julie Marshall, Title IX and Section 504 Coordinator  
Timber Lake School District 20-3, PO Box 1000, Timber Lake SD 57656  
605-865-3654 ext. 106

Or

Regional Office of Civil Rights, Kansas City Office, Office for Civil Rights  
US Department of Education, 8930 Ward Parkway, Suite 2037

Kansas City, MO 64114-3302

Telephone: 816-268-0550, Fax: 816-823-1404, TDD: 877-521-2172

Email: [OCR.KansasCity@ed.gov](mailto:OCR.KansasCity@ed.gov)

Timber Lake School District	NEPN Code: AN
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### **Use of Alcohol, Drugs, and Controlled Substances by Employees (Drug Free Work Place)**

Student and employee safety is a paramount concern to the School Board. Employees under the influence of alcohol, drugs, or controlled substances are a serious risk to themselves, to students, and other employees. The School Board will not tolerate the unlawful manufacture, use, possession, sale, distribution or being under the influence of drugs or controlled substances by any district employee.

Nor will the board tolerate the unlawful use of, or being under the influence of, alcohol by an on-duty employee. Any employee who violates this policy will be subject to disciplinary action which may include dismissal and or 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 drug statute convictions for a violation occurring in or on the premises of this school district, or while engaged in employment with the Timber Lake School District. Such notification must be made by the employee to the superintendent no later than five days after conviction. The superintendent will provide notice of such violation to the Impact Aid program, United States Department of Education, or other appropriate government agency within ten days after the superintendent receives such notification.

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

All employees will attend a district drug free awareness program at which employees will be informed about the dangers of drug abuse in the work people; this policy of maintaining a drug free workplace; available drug counseling; rehabilitation, and employee assistance programs; and the penalties an employee in violation of this policy may be subjected to.

The school board recognizes that employees who have a drug abuse problem should be encouraged to seek professional assistance. An employee who requests assistance shall be referred to a treatment facility or agency in the community if such a facility or agency is available.

When an employee has consumed alcoholic beverages or illegal drugs on school property or before a school activity, the employee will not be allowed on school property or to participate in school activities.

The School Board hereby commits itself to a continuing good faith effort to maintain a drug free work people. A copy of this policy shall be given to all present and future employees. P.L. 100-69

Revised: 9-13-2017

**NEPN Code: AO**

## **CONFLICT DISCLOSURE AND AUTHORIZATION**

SDCL 3-23-6 states

“3-23-6. No board member, business manager, chief financial officer, superintendent, chief executive officer, or other person with the authority to enter into a contract or spend money in an amount greater than five thousand dollars of a local service agency, school district, cooperative education service unit, education service agency, nonprofit education service agency, or jointly governed education service entity that receives money from or through the state may have an interest in a contract nor receive a direct benefit from a contract in amount greater than five thousand dollars or multiple contracts in an amount greater than five thousand dollars with the same party within a twelve-month period to which the local service agency, school district, cooperative education service unit, or education service agency is a party except as provided in § 3-23-8.”

## **I. DEFINITIONS:**

- a. “School Official” refers to a school board member, business manager, chief financial officer, superintendent, chief executive officer, or other person with the authority to enter into a contract or spend money in an amount greater than five thousand dollars.
- b. “Interest in a contract” is when (1) a School Official, the spouse of a School Official or any other person with whom the School Official lives and commingles assets, is employed by a party to any contract with the school district; or (2) the School Official, the spouse of a School Official, or any other person with whom the School Official lives and commingles assets, receives more than nominal compensation or reimbursement for actual expenses for serving on the board of directors of an entity that derives income or commission directly from the contract or acquires property under the contract.
- c. “Direct benefit from a contract” is when a School Official, the spouse of a School Official or any other person with whom the School Official lives and commingles assets (1) is a party to or intended beneficiary of the contract between the school district and a third party, or (2) has more than a five percent ownership interest in an entity that is a party to the school district contract, or (3) acquires property under the contract with the school district, or (4) receives compensation, commission, promotion, or other monetary benefit directly attributable to any contract.

## **II. PROHIBITION:**

This policy prohibits School Officials board members, business manager, superintendent, and any other person who has the authority to enter into a contract or spend money on behalf of the school district from having an interest in a contract or receiving a direct benefit from one or more contracts between the school district and a third party, if the total contract amount is more than \$5,000 within a 12 month period, unless the School Official discloses to the school board his or her interest in the contract, or in the case of a direct benefit from the contract, discloses the direct benefit and receives school board authorization to receive the benefit.

## **III. EXCEPTIONS:**

If any of the following apply, the School Official does not have an interest in the contract and does not derive a direct benefit from a contract, and disclosure (and authorization, if a direct benefit) is not required:

- 1. When the person’s relationship to the contract is based solely on the value associated with the person's publicly-traded investments or holdings, or the investments or holdings of any other person with whom the board member, business manager, chief financial officer, superintendent, or chief executive officer lives or commingles assets;
- 2. When the person’s relationship to the contract is due to participating in a vote or a decision in which the person's only interest arises from an act of general application;

3. when the person's relationship to the contract is due to the person receiving income as an employee or independent contractor of a party with whom the local service agency, school district, cooperative education service unit, or education service agency has a contract, unless the person receives compensation or a promotion directly attributable to the contract, or unless the person is employed by the party as a board member, executive officer, or other person working for the party in an area related to the contract;
4. When the contract is for the sale of goods or services, or for maintenance or repair services, in the regular course of business at a price at or below a price offered to all customers;
5. When the contract is subject to a public bidding process;
6. When the contract is with the official depository as set forth in SDCL 6-1-3;
7. When the person only receives income or compensation, a per diem authorized by law or reimbursement for actual expenses incurred; or
8. When the contract or multiple contracts with the same party within a twelve-month period with whom the school district contracts in an amount less than five thousand dollars.

#### **IV. DISCLOSURE:**

A School Official who has an interest in a contract or who receives a direct benefit from a contract must disclose to the school board the existence of a contract in which the person has an interest or receives a direct benefit.

1. the disclosure must include the following: (i) all parties to the contract, (ii) the person's role in the contract, (iii) the purpose or objective of the contract, (iv) the consideration or benefit conferred or agreed to be conferred upon each party, and (v) the duration of the contract;
2. The disclosure must be in writing;
3. To the extent circumstances allow, disclosure must be given prior to entering into any contract that requires disclosure, and if circumstances do not permit disclosure prior to entering into the contract then within forty-five days after entering into the contract, and if the contract extends into consecutive fiscal years, disclosure shall also be made at the annual reorganization meeting.
4. The school board will have a regular agenda item at the beginning of the school board meeting agenda at which time the school board will address conflict of interest disclosures.
5. Conflict of interest disclosures must be submitted to the President of the School Board, the Superintendent or the Business Manager, at least 5 calendar days before the scheduled meeting in order to be included in the posted meeting agenda for the next school board meeting. Conflict of interest disclosures submitted to the President of the School Board, the Superintendent or the Business Manager after the proposed agenda has been posted may be deferred until the following school board meeting.

#### **V. BOARD ACTION UPON DISCLOSURE:**

1. Interest in the contract:
  - A. the school board is not required to authorize a School Official's interest in a contract;
  - B. the interest disclosure must be included in the official minutes of the school board (the official minutes are not required to be sent to the auditor-general and attorney general).

## 2. Direct benefit from a contract:

A. the school board shall review the disclosure and decide if the terms of the contract are fair and reasonable, and if the contract is contrary to the public interest.

i. if the school board determines the contract terms from which a direct benefit is derived are fair and reasonable, and that the contract is not contrary to the public interest, the school board shall vote to authorize the School Official to derive a direct benefit from the contract.

ii. After the school board authorizes a School Official to derive a direct benefit from a contract, no further disclosure or authorization related to the contract is required unless the contract extends into consecutive fiscal years. If the contract extends into consecutive fiscal years, disclosure must be made at the annual reorganization meeting but no new authorization is required.

b. If the school board determines the contract terms from which a direct benefit is derived are not fair and reasonable, or is contrary to the public interest, the school board shall vote to not authorize the School Official to derive a direct benefit from the contract. If the school board votes to not authorize a direct benefit, the contract is voidable and subject to disgorgement (i.e., the act of giving up on demand or by legal compulsion something that was obtained by illegal or unethical acts) or the person may resign from the school district.

c. The disclosure and school board action is public record.

d. The official minutes of the school board shall include the school board action on each disclosure and request for authorization to derive a direct benefit from a contract. A copy of the official school board minutes shall be sent to the auditor-general and attorney general within thirty (30) days of board approval of the minutes.

e. No school board member may participate in or vote upon a relating to a matter in which the school board member derives a direct benefit.

## **VI. MISCELLANEOUS:**

1. Consequences for knowingly violating the conflict of interest laws set forth in SDCL Ch. 3-23:

a. It is a criminal violation for a School Official to knowingly violate the conflict of interest law.

b. A School Official who knowingly violated the conflict of interest law will be removed from office or employment and is disqualified from holding any public office, elective or appointive.

c. Any benefit which a School Official derived from the person's knowing violation of the conflict of interest law is subject to forfeiture.

d. Any contract made in violation of this policy may be voided by the school board.

The School District Attorney represents the school district and the school board and may answer questions about the law that address conflict of interest. As the school district attorney does not represent School Officials in their individual capacity, School Officials should consult with their own private attorney related to questions they may have regarding how this policy applies to their individual interests and contracts.

Adopted: 8-10-2016

Revised: 6-28-2017

**NEPN Code: AO-E (1)**

**CONFLICT OF INTEREST DISCLOSURE**

Date: \_\_\_\_\_

Name of the School Official submitting the conflict of interest disclosure:

\_\_\_\_\_

The disclosure is for the purpose of notifying the School Board of

\_\_\_\_\_ An interest in a contract

\_\_\_\_\_ A direct benefit from a contract:

Identify the following:

- (1) All parties to the contract
- (2) The person's role in the contract
- (3) The purpose(s)/objective(s) of the contract
- (4) The consideration or benefit conferred or agreed to be conferred upon each party
- (5) The length of time of the contract
- (6) Any other relevant information

If the disclosure relates to the School Official deriving a direct benefit from a contract, explain how the terms of the contract are fair, reasonable, and not contrary to the public interest such that authorization should be granted by the school board.

Signature of School Official: \_\_\_\_\_

**THIS IS A PUBLIC DOCUMENT**

Adopted: 8-10-2016

Revised: 6-28-2017

**SCHOOL BOARD ACTION ON CONFLICT OF INTEREST DISCLOSURE  
OF A DIRECT BENEFIT**

Conflict of interest disclosure of a direct benefit, dated \_\_\_\_\_, was received from \_\_\_\_\_  
the \_\_\_\_\_ School District School Board during a meeting held on \_\_\_\_\_.

\_\_\_\_\_ The request for authorization was denied because the terms of the contract were determined to not be fair and reasonable, and/or were contrary to the public interest.

\_\_\_\_\_ The direct benefit from the contract was authorized because the terms of the contract are fair and reasonable, and not contrary to the public interest.

\_\_\_\_\_ The direct benefit was authorized because the terms of the contract are fair and reasonable, and not contrary to the public interest such that a waiver should be granted, subject to the following conditions:

Signature of School Board President /Chairperson

\_\_\_\_\_

Printed Name: \_\_\_\_\_

Date \_\_\_\_\_

**THIS IS A PUBLIC DOCUMENT**

Upon School Board approval of the official minutes of the meeting when the School Board acted upon the above conflict of interest disclosure, a copy of the official minutes will be emailed to the Auditor General and mailed to the Attorney General.

Adopted: 8-10-2016

Revised: 6-28-2017

**NEPN Code: BA**

**School Board Definition:**

As cited in Chapter 9, Section 1, of the Revised School Laws of South Dakota: " The School Board is an elected or appointed body which has been created according to the laws of the state for the purpose of organizing, maintaining, and conveniently locating schools for the education of all children of school age within a school district."

**NEPN Code: BB**

**Legal Basis:**

The School Board exists under and derives its power from the Constitution of the State of South Dakota and the acts of the Legislature thereof.

**NEPN Code: BC**

**Type of School District**

A school district in the State of South Dakota is defined as that district which operates a twelve year school program (with or without a kindergarten) or an accredited high school. The school district shall be known by the name of the municipal corporation which might be within the district. For example the official name is Timber Lake School District, 20-3 of Dewey County, South Dakota.

**NEPN Code: BD**

**Composition and Election of the School Board**

In the Timber Lake School District there shall be a school board consisting of five members to be elected at large whose term shall be three years, with one or two members being elected annually, in compliance with SDCL-13-8-6.

**NEPN Code: BE**

**Vacancies SDCL 13-8-25**

A vacancy on the board shall be filled by appointment by the remaining members of the board at any legally constituted meeting. Such a vacancy is filled in this manner until the next annual election.



**NEPN Code: BF**

**Quorum SDCL 13-8-33**

Assent of a majority of the members of a school board shall be required to take any official action as a school board.

**NEPN Code: BG**

**Powers of the School Board SDCL 13-8-29**

As provided and limited by law, the school board shall have general charge, direction, and management of the schools of the district and control and care of all property belonging to it and shall have power to levy taxes, borrow money, employ any necessary personnel, carry insurance, purchase all necessary books and equipment, and purchase real property and erect necessary buildings for the operation of such schools.

**NEPN Code: BH**

**Annual Meeting of the School Board SDCL 13-8-10**

The annual meeting of the school board shall be held on the Wednesday following the second Monday in July at a time to be determined by the Board.

**NEPN Code: BI**

**Regular Meeting of the School Board SDCL 13-8-10**

- a. The regular board meetings are determined by the board at the annual meeting. The regular monthly meetings will be the Wednesday following the second Monday of each month at 5:00 p.m.
- b. Agenda items are to be into the Business Manager's office by the first Monday of the month.

**NEPN Code: BJ**

**Adjourned and Special Meeting SDCL 3-8-10**

- a. Any legal meeting may be adjourned to a specific time and place. The problems remaining on the agenda of the meeting adjourned should be acted upon first at the adjourned meeting. Other items of business are to be discussed and acted by a majority vote of the members.
- b. Special meetings may be held upon call of the president or in his/her absence by the vice president or a majority of the board members. Notice of such meeting shall be given by the business manager to the board members either orally or in writing in sufficient time to permit their presence.

**NEPN Code: BK**

**Place of Meeting SDCL 13-8-10**

All meetings of the board shall be held in the office of the superintendent unless each member of the board has been notified by the business manager to the contrary. In the event of such a change, the business manager shall take appropriate steps to inform the public.

## **NEPN Code: BL**

In order to assure that the Board may conduct its meetings in a respectful and efficient manner, the procedure for public participation at regularly scheduled monthly school board meetings is as follows:

### **1. Agenda and Non Agenda Items:**

- a. Before the meeting is called to order, an individual who desires to speak at a school board meeting must verbally or in writing inform the Superintendent, the Business Manager or the Board President of the person's desire to speak and the topic upon which the person intends to speak. The requesting party must sign a form (prepared by the school district) with their name, address, email and topic to be addressed.
- b. During the time designated for Public Forum the Board President will recognize the person who signed up to speak and the person may speak on the topic according to the rules set forth in this policy.
- c. A speaker shall be granted 5 minutes to present comments to the school board. Upon receiving a request for an extension of time from the speaker, the school board, upon a motion being made and passed by a majority of school board members present and voting, may grant an additional amount of time not to exceed 5 minutes. Additional extensions may be granted only upon a two-thirds vote of school board members present and voting.
- d. Should a number of persons wish to address the school board on the same agenda item, or should the comments become repetitious, the School Board President, in the President's sole discretion, may shorten the time for comments to two minutes per person in order that persons wishing to address the school board may be heard and still allow the school board sufficient time to conduct its agenda business.

### **2. Adding an Item to the School Board Meeting Agenda in Order to Request Specific School Board Action:**

- a. Any person or delegation (with one person being the spokesperson for the delegation) making a specific request to the school board which would require formal action by the school board must present a written request to the Superintendent for the item to be placed on the school board meeting proposed agenda. The written request must be submitted to the Superintendent at least ten calendar days before the school board meeting.
- b. The specific request to add an item to the agenda shall clearly identify what is being requested and why, signed by the person making the request, and include the person's name, address, email and telephone number.
- c. The Superintendent will forward the request to the School Board President and the Board President will decide whether the item will be placed on the proposed agenda. Whether any item is to be addressed at the school board meeting is determined by a majority of school board members at the beginning of the school board meeting when the school board adopts the proposed agenda as printed or adopted after being modified.

- d. If the item on the meeting agenda is adopted by the school board, the person or spokesperson for the delegation who has submitted the request for specific school board action will be granted 10 minutes to explain the request to the school board. Upon receiving a request for an extension of time from the speaker, the school board, upon a motion being made and passed by the majority of school board members present, may grant an additional amount of time not to exceed 5 minutes. Additional extensions may be granted only upon a two-thirds vote of school board members present and voting.
- e. In the sole discretion of the school board, requests to the school board for specific action submitted after the proposed agenda has been posted may be:
  - deferred until the next regular meeting or a special school board meeting, or
  - added to the meeting agenda for discussion purposes only, or
  - added to the agenda for discussion and possible action.

### **3. Authority of Presiding Officer:**

The Board vests in its presiding officer the authority to terminate the right of any person to speak at the end of the time granted pursuant to provision 1.d, provision 1.e. or provision 2.d. as set forth in this policy. The presiding officer may also terminate the right of a person to speak at a school board meeting should the person cause public inconvenience, annoyance, or alarm to the school board or any person, engage in threatening behavior, make unreasonable noise, disturb or be disruptive of an official school board meeting, or when comments are disrespectful to one or more persons, boisterous, argumentative, threatening, or contain profanity. If deemed necessary by the presiding officer, the presiding officer may contact local law enforcement to have a person removed from the school board meeting as it is a violation of law for a person to intentionally cause or create a risk of serious public inconvenience, annoyance, alarm or disturbance at a school board meeting.

Revised: 6/13/18

### **NEPN Code: BM**

### **Functions of the School Board SDCL 13-8-39**

- a. The chief function of the school board is to provide for the progress and welfare of all the schools under its control, and to adopt the policies which govern its organization and operation.
- b. The School Board is responsible for formulating policies for the general management of the schools in the district. It shall delegate administrative authority to the superintendent of schools, but shall be responsible to the people for the results produced.
  - 1. The board acts as a policy making body and through its own action, legislates to make effective these policies.
  - 2. The board acts as an appraisal body rendering judgment upon recommendation that may come to it through its executive officers or its own members which concern the progress and improvement of the schools.

3. The board shall sit as a judicial body when the superintendent requests a hearing or on an appeal for any school employee or group of employees.

c. The board shall:

1. Select and elect a superintendent of schools who is the chief executive officer of the school system at the January meeting.

2. Adopt the annual budget for the support of education in the district.

3. Carefully deliberate on all issues to be considered. The majority action of the board on a given issue should become the policy of the entire board until such time as the question is again raised for consideration.

4. Shall evaluate the educational program and the work of the superintendent and his/her staff annually.

5. Promote and maintain desirable public relations by keeping the citizens informed of the school program, policies and needs.

6. Form citizen's advisory committees in conjunction with the superintendent.

7. Act upon recommendation of the superintendent regarding:

(a) Matters of policy

(b) Appointment and dismissal of all personnel

(c) Selection of courses of study

(d) Adoption of salary schedules for all employees of the district.

(e) Pass upon the accounts and the audits of the business control of the school.

(f) Study the reports from the superintendent and his/her staff.

(g) All other matters pertaining to the welfare of the schools.

8. The board will set bus routes for the transportation of students prior to the beginning of school each year.

**NEPN Code: BN**

**Organization of the School Board SDCL 13-8-3**

a. At the first regular monthly meeting in the school year, the school board shall organize by the election of a president and vice-president from its membership which officers shall serve for a term of one year.

b. The board shall also employ a business manager who shall act as the clerk and treasurer, but who is not a member of the board.

**NEPN Code: BO**

### **Duties of the President SDCL 13-8-26**

1. The president of the board of education shall preside at the board meetings and shall countersign all checks and notes with the business manager which has been approved by the board. He/She shall appoint or provide for the election of all committees of which he/she shall be an ex-official member, shall confer with the superintendent as may be necessary and desirable regarding school or related matters, and shall call special meetings of the board. He/She shall be entitled to vote on and discuss all matters coming before the board, and shall perform such other duties as may be prescribed by the school board.

**NEPN Code: BP**

### **Duties of the Vice President SDCL 13-8-26**

The Vice-president of the board shall assume the duties and responsibilities of the president in his/her absence and shall perform such other duties as may be assigned by the school board.

**NEPN Code: BQ**

### **Records Retention & Destruction Schedule (Adopted 6/14/2004)**

The school board adopted the South Dakota Managing Public Records, Guide for South Dakota Local Schools, as the schedule to use to retain and destroy school records.

**NEPN Code: BR**

### **School Board Agenda**

The superintendent, in cooperation with his/her staff, shall furnish board members with an agenda of principal items of business.

**NEPN Code: BS**

### **School Board Minutes SDCL 13-8-35**

A complete record of the minutes shall be kept of all meetings of the board. The minutes shall be reproduced in the minute book of the board, thus becoming the permanent and official record of the action of the board. This record shall be open to inspection by the public during regular office hours of the business manager.

## **NEPN Code: BT**

### **Authority of School Board Members SDCL 13-8-33**

Board members have authority only when acting as a school board legally in session. The board shall not be bound any way by any statement or action on the part of any individual board member or employee, except when such statement or action is in pursuance of specific instructions by the school board.

## **NEPN Code: CA**

### **The Superintendent of Schools** Administrative Rule 24:03:04:01

The superintendent of schools shall be the chief executive officer of the school board in the administration of the school. Coordination and supervision of the administrative services are primary responsibilities of the superintendent of schools. As chief executive officer of the school system, shall be responsible for the efficient operation of the system in all its division. The superintendent shall also exercise those duties which are provided by the statute and those which are specifically designated by the school board.

### **Duties of the Superintendent of Schools**

- a. The superintendent of schools shall serve as the executive officer of the school board and shall be charged with the responsibility for implementing the policies of the board, shall prepare the agenda for each meeting, shall attend all meetings, except when his/her contract is being considered, and participate in all deliberations of the board when such deliberations do not involve his/her employment.
- b. Shall administer the schools in conformity with the adopted policies of the school board, submit for adoption by the board of education the annual school calendar, and make a continuous study of the development and needs of the schools, and present reports to the board of education on the condition and development of the schools. Shall also acquaint the public with the activities and needs of the school.
- c. Shall recommend to the school board the appointment of all personnel required for teaching, supervision, clerical work, maintenance of buildings, custodial service, and any other types of service which may be necessary for the operation of the schools.
- d. Shall be responsible for the assignment, alteration of assignment, suspension, and recommendation for promotion of or dismissal of any employee of the school district except himself or herself.
- e. Shall be responsible for the conduct of the instructional program and shall provide courses of study, textbooks, supplies, supervision for the instructional program, and shall have the right to consolidate classes.
- f. May, for cause, suspend or recommend the expulsion of pupils from school.

- g. Shall have the authority to control and shall exercise general supervision of the policies and management of individual schools by granting or withholding approval of policies, plans, and procedures as these may be prepared by principals, or teachers.
- h. Shall maintain a continuous study of the problems confronting the schools, evaluate the quality and efficiency of all departments, and report to the school board as often as requested.
- i. Shall have the responsibility to submit school policies, plans, and programs and shall assist the school board in its duties of legislation and policy making for the schools.
- j. Shall assist the business manager in preparation of the budget.
- k. May close school due to inclement weather conditions when, in the best judgment, it be deemed advisable for the welfare of the students.
- l. Shall be responsible for other such duties requested by the school board.
- m. Retain evaluations for 1 year in office, then transfer to storage for 4 years. May be destroyed after 5 years provided no litigation concerning employment terms is pending.

### **Advisory Councils**

The superintendent shall have the authority to form advisory committees or councils of school employees, and members of the community to advise in formulation plans and policies for carrying on the functions of the school.

### **Delegation of Authority**

- a. The superintendent of schools may delegate duties or work to subordinate officers or employees as required for the effective administration of the school system except in such matters as when the statute or resolutions of the school board prohibit such delegation of authority.
- b. All reports or recommendation to the board from any officer or employee under the direction of the superintendent shall be made to the office of the superintendent unless otherwise directed by the school board.

### **Office Management**

- a. Secretary:
  - 1. Full time secretarial help is provided.
  - 2. Superintendent is responsible for secretary's duties.
  - 3. Secretary may handle any duty assigned by their administrator. (Revised 12/99)

**NEPN Code: CB**

### **Duties of the Business Manager** 13-8-11, 13-8-15, 13-8-27, 13-8-28,13-8-35, 13-8-43, 13-8-47

The business manager of the school district shall:

- 1. Perform the duties imposed by the statute and the rules and regulations of the school board.



2. Keep the minutes of the board. The official minutes shall be kept in safekeeping and shall be made available by the business manager to any citizen desiring to examine them during the hours when the office of the business manager is normally open for business.
3. Publish proceedings to the board as may be determined by the board and consistent with the laws pertaining to the official publication of the minutes of board action.
4. Assume responsibility for a detailed account of all the business of the board and prepare periodic and annual reports of the receipts and expenditures in the school district.
5. Sign all checks for the payment of bills, salaries, and contracts approved by the board.
6. Assume the responsibility for the conducting of school elections.
7. Shall be responsible for the preparation of the annual budget for the school district with the assistance of the Superintendent.
8. Keep an accurate record of all disbursements according to the uniform system of financial accounting as prescribed by the law of South Dakota pertaining thereto.
9. Have custody of all monies belonging to the school district. Once each month the county treasurer shall transfer all money in the hands of the county treasurer belonging to the school district. Whenever any funds which have been collected by the county for the district from taxes or from any other source are remitted to the district, the county auditor shall send to the school district business manager a statement showing the exact source and amount of such funds, said statement being made in such form and containing such information as shall be prescribed by the state superintendent of public instruction.

**NEPN Code: CC**

**Principals / Qualifications**

- a. Each school or combination of schools shall be under the administration and supervision of a principal.
- b. Shall be hired in February.

**Qualifications of Principals**

Shall have had a minimum of two years teaching experience, hold at least a master's degree in administration and supervision, or be able to obtain one within 5 years. (Revised 12/99)

**NEPN Code: CD**

**Secondary Principal's Job Description: (specific)**

## **Curriculum Development:**

### **a. Scheduling:**

1. Set up high school schedule based on school board class requirements and state requirements as to time and offering. (Revised 12/99)
2. Rotate periods so lyceums and extra-curricular and co-curricular interference is kept to a minimum.
3. Schedules will be set up in May for the next school year.

### **b. Curriculum Changes:**

1. Added courses or deletions recommended by principal.
2. Staff needs for changes recommended by principal.
3. Recommend new classroom materials for changes.
4. Recommend new classroom materials for updating class offerings.
5. Recommend audio-visual needs through instructors

### **c. Pupil Accounting:**

1. Complete the pupil registration and pre-registration.
2. Permanent records completed by charge of principal.
3. Absences and tardy subject to principal's office.
4. Principal will advise student council in matters dealing with student affairs.
5. Curricular activities supervised by principal.
6. All parent-student complaints and /or discipline problems resolved through principal's office.

## **Student Activities:**

### **a. Extra-Curricular:**

1. All eligibility reports finalized by principal through athletic director.
2. Advise student council on extra-curricular activities.
3. Correspond with schools in extra-curricular matters; i.e. dates of activities; general problems.

### **b. Handbook Rules and Regulations:**

1. Recommend rules and regulations to Superintendent and Board.
2. Inform students of rules and responsibilities.
3. Changes as needed will be principal's responsibility.
4. Student and faculty handbook will be reviewed annually and revised if necessary.
5. Inform teachers of responsibilities, duties, policies, and etc.

### **c. Student Awards and Programs:**

1. Originate with staff - final approval by principal.
2. Graduation
3. Awards program
4. Sales for class funds
5. All financial matters cleared through the superintendent

## **Staff Management:**

### **a. Teacher Supervision and Evaluation:**

1. Visit and make recommendation as per school evaluation policies.
2. Confer with teacher to complete evaluation procedure.
3. Give testimony at hearings on evaluation procedures.

4. Report to the Superintendent in February on the status of each teacher as to achievement and performance in the form of a recommendation for reemployment or non-reemployment.
5. Retention of evaluations - retain 1 year in office, then transfer to storage for 4 years. May be destroyed after 5 years provided no litigation concerning employment terms is pending.

**b. Teacher - Materials:**

1. All new materials for instruction recommended by principal.
2. All requisitions are given final approval by the principal.

**c. Staff meetings:**

1. Meet with respective staff as needed to resolve complaints, meetings, or in service meetings.
2. All extra duties not specified by contract should be taken care of by meeting or individually. (i.e. ticket taking)

**d. Staff Communications:**

1. Use bulletins to keep faculty informed.
2. Secure substitute teachers as needed.
3. Lesson plans either turned into office or classroom.

**e. Staff Year Ending Activities:**

1. Inventories - complete and accurate.
2. Final grades and student attendance.
3. Forms for summer address, turned into business manager.
4. Requisitions - approved by principal.
5. All personal items cleared of building or stored appropriately.
6. All school materials accounted for and stored appropriately.

**f. Staff Vacancies:**

1. Principal assists in interviewing applicants, final selection made from principals top three recommendations. The respective principal, or principals and the Supt. shall make recommendation to the board for their final approval of the applicant cooperatively selected.

**Office Management:**

**a. Secretary:**

1. Full time secretarial help is provided.
2. Principal is responsible for secretary's duties.
3. Secretary may handle any duty assigned by their administrator. (Revised 12/99)

**b. Permanent Records:**

1. By law, individual records on each student be kept current.
2. All transcripts produced by principal's office.
3. Reports to outside agencies kept current on matters of students and staff.
4. All permanent record files under lock and key.
5. Permission received from parent or student before records can be viewed by individuals.
6. Access to records by the teaching staff with a reasonable need to view.

**c. Office:**

1. Principal's office should not be used as a teacher's lounge.
2. Principal's telephone should not be used for personal calls.
3. A written record shall be kept of all long distance calls.

### **Building and Grounds:**

#### **a. New Facilities and Remodeling:**

1. Recommend changes to superintendent as per better use of existing facilities.
2. Recommend changes as to needs for any supporting additional building facilities.

#### **b. Fire Drills:**

1. Principal shall report on drills success or problems to the superintendent.
2. Confer with Elementary principal to see that fire and disaster drills are held as required by law.

(See 5.2.1)

#### **c. Safety Programs:**

1. Safety programs shall be initiated by the principal as the need arises.
2. These programs can be on site or location (i.e. city streets)

### **News Media:**

#### **a. Community Relations:**

1. Aid in preparing articles published in the school newsletter.
2. Pertinent articles that promote the school through local newspaper are the responsibility of the principal for his/her respective school.
3. Public meetings to discuss school problems are to be considered.

#### **b. Advertising:**

1. Advertisements for activities will be handled through the principal's office.

**NEPN Code: CE**

### **Elementary Principal Job Description (specific)**

### **Curriculum Development**

#### **a. Schedule of classes:**

1. Schedule classes as to times subjects are taught in a sequence benefiting students.
2. Lesson plans turned in to principal.

#### **b. Curriculum changes:**

1. Responsible to recommend adding or deleting subject areas.
2. Recommend staff needs for course changes.
3. Recommend new classroom materials.
4. Recommend classroom audio-visual materials.
5. Responsible for suggesting to staff methods for making efficient use of materials and equipment.
6. Will work with staff in selecting materials.

#### **c. Pupil Accounting:**

1. Complete pupil registration.
2. Responsible for maintaining permanent records
3. Absences and tardy subject to principal's office
4. Supervise co-curricular activities
5. Responsible for resolving all parent-student complaints and/or discipline problems.

## **Student Activities**

### **a. Extra-Curricular:**

1. Supervise activities calendar for elementary school.
2. Responsible to correspond with schools regarding extra-curricular matters (i.e. dates of activities, times, etc.)

### **b. Handbook Rules and Regulations:**

1. Recommend rules and regulations to superintendent/board.
2. Inform students of rules and responsibilities.
3. Responsible for recommending changes in policies.
4. Student and faculty handbook will be reviewed annually and reviewed if necessary.
5. Inform teachers of responsibilities, duties, policies and etc.

### **c. Student Awards and Programs:**

1. Awards will be recommended by staff, principal will approve.
2. Graduation - Principal will recommend students that have satisfactorily met the requirements for graduation.
3. Responsible for planning award programs.
4. All financial matters cleared through the superintendent.

## **Staff Management**

### **a. Teacher Evaluation and Supervision:**

1. Visit and make recommendation as per school evaluation policies.
2. Confer with teacher to complete evaluation procedure.
3. Give testimony at hearings on evaluation procedures.
4. Report to the Superintendent in February on the status of each teacher as to achievement and performance in the form of a recommendation for reemployment or non-reemployment.
5. Retain evaluations for 1 year in the office, then transfer to storage for 4 years. May be destroyed after 5 years provided no litigation concerning employment terms is pending.

### **b. Teacher Materials:**

1. Recommend all new materials for instruction
2. Give final approval to all requisitions by teachers

### **c. Staff Meetings:**

1. Meet the respective staff as needed to resolve complaints, organize staff and in service meetings.
2. All extra duties not specified by contract should be taken care of by meeting or individually. (i.e. ticket taking)

### **d. Staff Communications:**

1. Use bulletins to keep faculty informed.
2. Secure substitute teachers as needed.
3. Require lesson plans

e. Staff Year Ending Inventories:

1. Inventories - complete and accurate.
2. Final grades and student attendance.
3. Forms for summer address turned into business manager.
4. Requisitions - approved by principal.
5. All personal items cleared of building or stored appropriately.
6. All school materials accounted for and stored appropriately.

f. Staff Vacancies:

1. Principal assists in interviewing applicants, with final selection made from principals top three recommendations.

**Office Management:**

a. Secretary:

1. Secretarial help is provided.
2. Principal is responsible for secretary's duties.
3. Secretary may handle any duty assigned by their administrator. (Revised 12/99)

b. Permanent Records:

1. By law individual records on each student will be kept current.
2. Principal will request HS. Secretary will prepare and send all transcripts.
3. Reports to outside agencies kept current on matters of students and staff.
4. All permanent record files kept under lock and key.
5. Responsible for receiving permission from parent before records are permitted to be viewed by individuals.
6. Access to records by the teaching staff with a reasonable need to view.

c. Office:

1. Principal's office should not be used as a teacher's lounge.
2. Principal's telephone should not be used for personal calls.
3. A written log will be kept on all long distance calls.
4. Principal's office will be holding room for children that are ill, until parents can be contacted and arrive to pick up the child.

**Buildings and Grounds:**

a. Playground:

1. Responsible to report any needed repairs.
2. Responsible to report any hazards to students.
3. Require instructors to care for and store playground equipment.
4. Responsible to assign supervision of students during noon and recess usage of the playground.

b. New Facilities or Remodeling:

1. Recommend changes to superintendent as per better use of existing facilities.
2. Recommend changes as to needs for any supporting additional building facilities.

c. Fire Drills:

1. Principal shall report on drills success or problems to the superintendent.
2. Confer with High School Principal to see that fire and disaster drills are held as required by law. (See 5.2.1)

d. Safety Programs:

1. Responsible for initiating safety programs as they are needed.

2. Programs can be on site or location (i.e. city streets)

### **News Media:**

#### **a. Community Relations:**

1. Aid in preparing articles published in the school newspaper.
2. Recommended that pertinent articles that promote the school be written for the local newspaper.
3. Suggest public meetings with parents to discuss school problems.

#### **b. Advertising:**

1. Announcements of school activities will be handled through the principal's office.

**NEPN Code: CF**

### **Non-Resident Pupil**

The entrance or leaving of any non-resident pupil shall be immediately reported to the business manager by the principal in charge.

**NEPN Code: CG**

### **Child Abuse**

It shall be the responsibility of the administration to follow the state law and to provide in service training to staff on identification of abused children.

**NEPN Code: CH**

### **Assignment of Responsibility and Child Find Team**

Administration responsibility for all special education programs for handicapped children is assigned to the Superintendent of Schools. The district's Child Find Team, under his/her direction, is responsible for the identification of handicapped children. All procedures shall be in accordance with federal and state requirements and effort to locate these children shall be through local newspaper and radio announcements.

An individual education plan determined by the placement committee for each child will be developed in accordance with the child's individual needs. The plan will provide for reevaluation of the child's needs, progress, and of the effectiveness of the program being offered in accordance with State Department of Education Rules and Regulations.

Note: For complete information on the service available to handicapped children and on the district's participation in "Project Child Find", a program designed to establish a systematic procedure for the identification of all handicapped children and youth between birth and the age of 21, please refer to the Administrative Handbook for Special Education.

**NEPN Code: CI**

### **Line of Authority**

Line of authority for Timber Lake School District 20-3 is 1<sup>st</sup> - the School Board, 2<sup>nd</sup> - Superintendent, 3<sup>rd</sup> - High School Principal, and 4<sup>th</sup> - Elementary Principal. The Superintendent will designate three additional employees at the beginning of each school year to be in charge if all three administrators are absent from school at the same time. They will be designated in order of who is in charge from first to last. (Adopted Sept. 14, 1992)

**NEPN Code: DA**

**5.0 GASB 34 POLICIES**

**BASIS OF ACCOUNTING:**

The government-wide financial statements will be prepared using the economic resources measurement focus and the accrual basis of accounting as will the proprietary fund and fiduciary fund financial statements. Governmental fund financial statements will be reported using the current financial resources measurement focus and the modified accrual basis of accounting. (GASB 1600.103)

**REVENUE AVAILABILITY CRITERION:**

Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, our school considers revenues to be available if they are collected within zero (0) to sixty (60) days of the end of the current fiscal period. Property taxes are levied on an annual basis. On the fund financial statements, the portion of the property tax levies that have not been collected by the end of the fiscal year and are not available will be considered deferred revenue. (GASB 1600.106)

**CAPITAL ASSETS:**

<u>Assets</u>	<u>Years</u>	<u>Depreciation</u>	<u>Capitalization</u>
		<u>Method</u>	<u>Amount</u>
Land	N/A	N/A	All
Buildings	100	Straight Line	\$50,000
Improvement other			
Than buildings	15-25	straight Line	\$10,000
Equipment & Vehicles	5-20	Straight Line	\$ 200

(GASB 1400.102, 104)

**OPERATING VS. NON-OPERATING REVENUES AND EXPENSES:**

Our Food Service Fund distinguishes operating revenues and expenses from non-operating items. Operating revenues and expenses generally result from providing services and producing goods relating to the food service operation. Principal operating revenues of this operation are meal charges. Non-operating revenues include grants, donated commodities and interest earned. Operating expenses of the food service operation include salaries and benefits, food purchases and depreciation. The loss on disposal of capital assets is a non-operating cost. (GASB P80.118)

**GASB AND/OR FASB:**

(Governmental accounting standards board or Financial accounting standards board)



Private sector standards of accounting and financial reporting issued prior to December 1, 1989, generally are followed in both government-wide and proprietary fund financial statements to the extent that those standards do not conflict with or contradict guidance of the GASB. Governments also have the option of following subsequent private sector guidance for the business-type activities and enterprise funds, subject to the same limitation. Our entity has elected not to follow subsequent private sector guidance. (GASB P809.103)

### **CASH AND CASH EQUIVALENTS:**

The school's cash and cash equivalents are considered to be cash on hand, demand deposits, and short term investments with original maturities of three months or less from the date of acquisition. (GASB 2450.105)

### **RESTRICTED AND UNRESTRICTED RESOURCES:**

When both restricted and unrestricted resources are available for use, it is the school's policy to use restricted resources first, then unrestricted resources as they are needed.  
(GASB 2300.106 (12))

**Revised 7/11/2018**

**NEPN Code: DA**

## **TIMBER LAKE SCHOOL DISTRICT ORGANZATIONAL CODE OF CONDUCT**

### **ANTI-FRAUD PROGRAMS AND CONTROLS (SAS 99):**

Adopted 10/08/2007

The school strives to design and implement a system and procedure that prevents and detects against fraud. The school also ensures a culture and environment that promotes honesty and ethical behavior by:

- 1) Striving to set the tone at the top
- 2) Creating a positive workplace environment
- 3) Hiring and promoting appropriate employees/coaches/advisors
- 4) Training – Class Officers – Accounting/Bookkeeping on Class Funds
- 5) Discipline – Timely transactions

Evaluating Anti-Fraud Processes and Controls

- 1) Identifying and measuring fraud risks
- 2) Mitigating fraud risks
- 3) Implementing and monitoring appropriate internal controls

Developing an Appropriate Oversight Process

- 1) Governing Board awareness
- 2) Managements role
- 3) Internal auditors
- 4) Independent auditors

The school and its employees must, at all times, comply with all applicable laws and regulations. The school will not condone the activities of employees who achieve results through violation of the law or unethical business dealings. This includes any payments for illegal acts, indirect contributions, rebates and bribery. The school does not permit any activity that fails to stand the closest possible public scrutiny.

Employees uncertain about the application or interpretation of any legal requirements should refer the matter to their superior, who, if necessary, should seek legal advice.

#### **GENERAL EMPLOYEE CONDUCT:**

The school expects its employees to conduct themselves in a businesslike manner. Drinking, gambling, fighting, swearing and similar unprofessional activities are strictly prohibited while on the job.

Employees must not engage in sexual harassment, or conduct themselves in a way that could be construed as such, for example, by using inappropriate language, keeping or posting inappropriate materials in their work area, or accessing inappropriate materials on their computer.

#### **CONFLICTS OF INTEREST:**

The school expects that employees will perform their duties conscientiously, honestly, and in accordance with the best interests of the school. Employees must not use their position or the knowledge gained as a result of their position for private or personal advantage.

#### **GIFTS, ENTERTAINMENT AND FAVORS:**

Employees must not accept significant entertainment, gifts or personal favors that could, in any way, influence, or appear to influence, business decisions in favor of any person or organization with whom or with which the school has, or is likely to have, business dealings.

#### **KICKBACKS AND SECRET COMMISSIONS:**

The school strictly prohibits the acceptance of kickbacks and secret commissions from suppliers or others. Any breach of this rule will result in immediate suspension and prosecution to the fullest extent of the law.

#### **SCHOOL DISTRICT RESOURCES:**

Assets of the school are for school purposes only and not for personal benefit. This includes the personal use of organization assets, such as computers and other equipment.

#### **ORGANIZATION RECORDS AND COMMUNICATIONS:**

The employees responsible for accounting and recordkeeping must fully disclose and record all assets, liabilities or both, and must exercise diligence in enforcing these requirements.

Employees must not make or engage in any false record or communication of any kind including false expense, attendance, financial or similar reports and statements.

#### **PRIVACY AND CONFIDENTIALITY**

Employees and members of the governing board should be aware of restricts to public access in areas such as student records, special education and executive sessions.

Adopted 6/14/04

**NEPN Code: DB**

**SCHOOL MEAL POLICY**

It is the policy of the Timber Lake District that all school meals be paid in advance. The School Board will set prices for meals annually. A meal account balance notification for the family meal account is sent by mail twice a month for negative balances.

At the beginning and throughout the school year, families are to send money to the school to be deposited in their family account. Any deposit is acceptable; however larger payments (i.e. one month's payment) are encouraged. For budgeting purposes, a family could look at the annually set lunch amount and take that times 20 days (estimated number of school days per month) and send that payment monthly.

Meal process will be posted and updated on Timber Lake School District 20-3 website.

- All family meal account balances must be maintained in Advance Payment status.
- The business office will communicate negative balances with the administration for any Employees with a negative balance due.
- If a family account is more than negative \$50.00, they will be turned over to collections.

Approved 11-14-2011

Revised: 10-11-2017

**NEPN Code: DC**

### **Seasons Tickets and Passes**

1. Passes for athletic events may be issued at the discretion of the Superintendent to volunteer workers who do a lot of work for the school. Example: score keepers, timers, football announcers and football chain gang. Senior citizens age 62 and over may receive passes for all regular home activities, by requesting them from the school business office. The local clergy will be mailed passes for school activities.
2. Season tickets for all regular home athletic events may be purchased in August and September. Cost for the ticket will be \$30.00 for adult and \$15.00 for student. Tickets will be numbered, non-transferable and a record kept of persons purchasing them. A list of purchases will be given to ticket sellers & takers in case someone forgets their ticket or misplace their ticket. (Revised 07/07)

**NEPN Code: DD**

### **Work Week Policy**

The Timber Lake School District 20-3 adopted a seven (7) day work week for all non-certified employees commencing midnight 12:01 A.M. Sunday and ending midnight 11:59 P.M. Saturday. Time sheets are to be turned in and signed by the employee and the Business Manager.

**NEPN Code: DE**

### **Tuition SDCL 13-28-22**

- a. All kindergarten, elementary, and secondary students not entitled to the free school privileges of the Timber Lake Public Schools shall be charged the legal rate of tuition as specified by State Law.
- b. Those students who must personally pay tuition or the parents and guardian of said students, shall pay in advance the annual or monthly legal amount of tuition; and if such student should cease to be a member of the Timber Lake Public Schools before the expiration of the term for which the tuition has been paid, the unearned portion of such tuition shall be refunded by the school board upon the presentation of proper voucher therefore. SDCL 13-28-24

### **Tuition - Out of District Assignments.**

Policy will be to follow the law and take care of requests at a regular board meeting. (July 12, 1993)

**NEPN Code: DF**

### **Pooling of Funds**

The district allows the pooling for all general funds, capital outlay funds, special education funds and special building funds to be deposited into one account. SDCL 4-5-8 (6/14/2004)

**NEPN Code: DG**

### **Interest Earned Policy:**

The interest earned by each fund will be put in that individual fund except for the Unemployment fund, which will go back into the General Fund (6/11/2001)

**NEPN Code: EA**

### **School Property - Legal SDCL 13-24-20**

The building and properties of the school district shall be available for community use under conditions prescribed or permitted by law and in accordance with the adopted policies of the school board.

**NEPN Code: EB**

**Definition of School Property SDCL 13-21-1, 13-14-5**

- a. All buildings, grounds, and property - real or personal - owned by the school district, or any item of equipment or real property loaned or leased to the school board shall be deemed as school property by these rules and regulations.
- b. Any item of equipment or any real or personal property donated to the school district in general or to a particular school shall be considered as school property. No such gift may be accepted by an individual in the name of the school without the understanding that the gift is unconditional and that the title for such property remains in the school district. The property may be sold or replaced with no obligation to the donor.

**NEPN Code: EC**

**Use of School Facilities-General Policies and Rules**

- a. Request for the use of public school facilities shall be made at the office of the superintendent, and must be reserved by an officer of the group or organization.
- b. Request for school facilities should be made not later than two weeks in advance. Cancellation or change in the use of the facilities should be submitted at least two days before date of use.
- c. Request for the use of grounds must be made in the same manner as described in a. and b.
- d. The use of school facilities will be granted only when a program or activities is suited to the available facilities and is of an educational, cultural, or civic nature.
- e. Groups to whom permission is granted are restricted to the dates, hours, and area specified.
- f. Organizations, such as the 4-H, Girls Scouts, Boys Scouts, Church sponsored groups, local community and not for profit groups are permitted to use the building free of charges.
- g. All groups using school facilities must be properly supervised by the sponsoring organization. The right is reserved by the school authorities to judge the adequacy of supervision.
- h. Sponsoring organizations are responsible for observance of fire and safety regulations of the Public Safety Department and the State of South Dakota at all times. The responsibility for any necessary precautions rest with the sponsoring group.
- i. Use of the school gymnasium does not include concessions.
- j. If in the natural act of the activity, the use of the kitchen is necessary, a school kitchen employee must be secured and compensated for time employed. Custodians will also be compensated for cleaning of the building. Compensation will be the responsibility of the organization using the facilities. Compensation must be at least minimum wage.
- k. All damages to school property will be the responsibility of the sponsoring organization.

1. A request for the use of school facilities may be denied or canceled if any of the above rules are violated.

**NEPN Code: ED**

**Agreement for Use of School Property (Approved 4-12-99) (Revised 07/00)**

**AGREEMENT**

THIS AGREEMENT, made and entered into \_\_\_\_\_, \_\_\_\_\_, by and between Timber Lake School District 20-3, hereinafter referred to as Owner, and \_\_\_\_\_, hereinafter referred to as User:

That in consideration of the mutual benefit to both parties hereto, Owner hereby permits User to use and User hereby uses the following property of Owner for a term of \_\_\_\_\_:

Gym\_\_\_\_\_

School Bus\_\_\_\_\_

Mini Van\_\_\_\_\_

Classroom\_\_\_\_\_

Lunchroom\_\_\_\_\_

Kitchen\_\_\_\_\_

Other\_\_\_\_\_

In the event User uses the school bus, it is further understood and agreed that User will be obligated to use a Timber Lake School District bus driver. User is responsible to pay the bus driver.

It is further understood and agreed that User will be responsible to Owner for any and all damages, costs and attorney's fees for such use and occupancy. User agrees to return property in as good condition as when taken or used and to have the property cleaned and in as good condition as when used.

Dated\_\_\_\_\_, \_\_\_\_\_.

TIMBER LAKE SCHOOL DISTRICT 20-3

By \_\_\_\_\_  
Superintendent

\_\_\_\_\_  
User

**Music Instrument Rental/Form**

Director reserves the right to reduce or waive any rental fee as he/she deems necessary. An example of when the fee would be waived: A student owns their own Alto Saxophone, however for the growth of the band and for better quality in the band the director asks that student to switch to a Baritone Saxophone (a school owned instrument). The student would not be required to pay the rental fee for that school year. If, however, that student decides to continue playing that school instrument the next year he/she may be asked to pay the rental fee. There are also occasions when the family cannot afford to pay the rental fee: in such cases after meeting with the persons or guardians the fee may be reduced or waived.

**INSTRUMENT CHECK-OUT/RENTAL FORM: TIMBER LAKE SCHOOL BAND**

The undersigned student hereby acknowledges receipt of the band property of the Timber Lake School Band, which is listed below.

In consideration for said property being thus issued to me, I do hereby agree:

(1)To pay the rental fee of \$30.00 per year, or \$20.00 for a single semester to cover general maintenance on said property, and for which I am responsible.

(2)To fully pay for any loss or damage to said property, and for which I am responsible

(3)To surrender to said Timber Lake School Band any property issued to me, as herein provided, at any time, upon notice to me, either by the Band Director or his/her assistants.

As a further consideration for said property being rented to me, I do hereby agree to attend band rehearsals regularly, and to faithfully discharge all duties required as a requisite to being a member of said band. I understand thoroughly that all the musical instruments and other property connected with the said musical organization belong to said Timber Lake Band, and same are subject to recall at any time, and that I hold my position in this organization on probation, and that violation of the rules and a lack of faithful and diligent discharge of the work assigned, on my part, subjects me to withdrawal of the property assigned.

\_\_\_\_\_ with case: No. \_\_\_\_\_

Timber Lake, South Dakota, Dated \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_ Student

I guarantee the above agreement on the part of the student.

\_\_\_\_\_ Parent or Guardian



**NEPN Code: EF**

**Protection and Care of School Property SDCL 5-14-18, 25-5-15, 13-32-5**

- a. It is the duty of each school employee to safeguard and protect the properties of the school district. Care shall be taken to see that windows and doors are properly secured before leaving the school building at the close of a day.
- b. Children shall be instructed in regard to the proper care of textbooks and supplies, and respect and regard for public property.
- c. All employees of the school district are responsible for the proper accounting of all property used by them either in the course of regular instruction or in any other situation where the school district is responsible or where any activity is conducted in the name of the school district. Employees are responsible for reporting damage, loss, or theft of any type of equipment to the principal, who shall report to the superintendent of schools to whom the school board hereby delegate's responsibility for matters relative to the care and safeguarding of all school property.
- d. Removal of school furniture and property from the building for private use shall not be done except on the direct written authorization of the Superintendent or Principal.

**E .EMPLOYEES LEAVING THE SYSTEM:**

All employees leaving the system must have their inventory checked and approved by their immediate supervisor. The employees exit check will be held by the Business Manager until final approval has been given by the immediate supervisor. Adopted 3/8/93

**NEPN Code: FA**

**Qualifications for Appointments as Teacher**

Administrative Rule 24:02:01:04, 24:03:05:01, SDCL 13-43-5

- a. To be eligible for an appointment as a teacher in the Timber Lake Public School, the applicant shall have a valid South Dakota teaching certificate or be qualified to receive one or apply for alternative certification. (Revised 12/99)
- b. All instructional personnel shall be holders of a valid state teaching certificate issued by the State of South Dakota.
- c. Recognition of special training and abilities of applicants shall be considered when employed for respective positions in their major fields or accepted minor fields.

**NEPN Code: FB**

**Certification** Administrative Rule 24:03:04:12

All instructional personnel shall have teaching certificates, duly recorded and a copy or original on file in the superintendent's office.

**NEPN Code: FC**

**Assignment and Transfer**

Each employee of the school shall be assigned to a specific position at the direction of the superintendent of schools. If it becomes necessary to transfer a teacher to a different position, the teacher(s) involved will be involved in the planning. Secondary teachers will teach in their preparation area, and elementary teachers will be assigned a grade level.

**NEPN Code: FD**

**Staff Development Policy**

In an effort to supply teachers with new methods and techniques and to add to their repertoire of skills, one or more days of in-service education and staff development will be provided annually preceding the opening of classes in the fall. (Revised 12/99)

Content materials for these hours will be developed with input from, and planning with the teaching staff. Additional in service days may be provided during the school year for staff and curriculum development as the need arises.

The Timber Lake School District is a member of the Northwest Area Schools. The NWAS provides in service for all instructional members in accordance with State Rules. The Timber Lake Staff will take part in the NWAS In service. In addition to the Northwest Area Schools In service the school shall provide additional workshops designed to improve the quality of education. These workshops shall be held on a as needed basis and based on availability of consultants.

Substitute Teachers may be requested to take part in some in service activities.

The Timber Lake Board of Education has a policy to allow individual teachers the opportunity to take professional leave to enhancing their professional achievement. This leave may be granted by the Superintendent and/or Board of Education.

**NEPN Code: FE**

**Instructional Load**

- a. The administration shall be responsible to the school board for the equitable distribution of work among the members of the staff.
- b. The school day shall be considered to be eight hours of duty in length, the actual period of time assigned for such duty hours shall be made by the principal and shall be adjusted to the needs of the school to which the teacher has been assigned.

- c. One class period may be set aside for preparation for class work, evaluation of pupil progress, pupil consultation, staff conference, etc. The board may waive the standard load in the best interest of education.
- d. It is the general policy of the school board that, so far as it is consistent with the best implementation of the school system, secondary school teachers shall not be required to teach more than three subject matter areas or make more than five preparations (exclusive of homeroom) unless more are necessary because of special curriculum problems or programs.
- e. Teachers are required to attend meetings called by the principal and general meetings called by the superintendent. In case of general meetings, dismissal time shall be designated by the superintendent.
- f. Teachers are expected to be in their assigned building at 7:45 A.M. and remain in school until 3:45 P.M., except when school is closed early by administrative decisions and on Friday's. In those instances, teachers will be dismissed when halls are clear. (Revised 8/12/15)
- g. Teachers are expected to serve on committees as necessary. Committee assignments will be made with consideration as to the work involved in each particular assignment and committee assignments will be distributed among the various member of the teaching staff insofar as possible.
- h. Extra duty assignments such as hall duty, noon duty, club and class sponsorships, etc., will be made by the principal of the school.
- i. Teachers will not be permitted to leave the school building to attend personal business, school business, or other reason without first receiving permission from the principal or Superintendent in charge. A teacher will not leave a regularly scheduled class or a scheduled activity unsupervised.
- j. All teachers sponsoring class, group, or organizational activity shall be present to supervise student behavior and will be responsible for student safety.

#### **NEPN Code: FF**

#### **Sick Leave Plan - FOR CERTIFIED TEACHERS AND TEACHERS WITH AN AUTHORITY TO ACT:\***

- a. A first year teacher MAY be loaned five days sick leave at the beginning of the school year until the sick leave has been earned. This time will be deducted from the regular 10 day yearly benefit. (Revised 3/03)
- b. Sick leave shall be accumulated at the rate of one day per month starting in August. During a year when school does not begin until September then two days shall be credited for the month of September in order to give credit for ten days per year.

Unused sick leave may be accumulated to a maximum of 60 days. If, after having accumulated the maximum sick leave credit, the balance is reduced below the allowable maximum by authorized sick leave, credit for sick leave will be resumed at the rate of (1) day per month until the maximum accumulation has again been reached. Days over 60 at the conclusion of the school year are paid at \$50 per day (2017 Negotiations)

\*c. Sick leave may be taken for personal illness as well as illness or death in the immediate family. Sick leave may not be taken for less than one half day. Teachers will be released last period of the day for doctor appointments with the consent of principal. Each teacher will be allowed (2) days of bereavement leave each year to attend funerals of persons not covered in this section. These days will be deducted from teacher's sick leave.

d. When accumulated sick leave days for a regularly appointed full time teacher or employee are exhausted, the teacher's or employee's name shall be dropped from the payroll until the employee returns to his/her designated job, after having received permission to do so by the superintendent of schools, who may refuse permission if the superintendent feels that teacher or employee is not physically or mentally capable of performing his/her normal duties. Any additional days absent, until additional sick leave is earned, will result in the teacher's salary being reduced 1/175 for each day absent.

e. Pregnancy leave of absence will be treated the same as any other medical related leave.

f. Sick leave - in case of maternity leave or emergency illness faculty may borrow against days allowed to them with Superintendent or Board approval.

**Revised: Dec. 13, 2017**

### **NEPN Code: FG**

#### **Personal Leave Plan \***

- a. The superintendent may grant short leaves of absence to employees for personal reasons. Personal leave is limited to five (5) days per year. No short leaves will be granted during the first week or the last two weeks of the school year, the last week of the first semester, the first week of the second semester, nor the day before or after a regular vacation unless granted by the Superintendent. Requests for this leave of absence for personal reasons shall be inaugurated through the principal of the employee involved or the Supt. of the employee involved. At least 24 hours' notice will be given.
- b. Additional short leaves may be granted at the discretion of the superintendent; however, the teacher's salary will be reduced by 1/175 for each day absent.
- c. A teacher may revert unused personal days to sick leave days or may receive \$85.00 per day for the unused personal days. This decision is to occur at the end of the school year. (Revised 2015)

### **NEPN Code: FH**

#### **Staff Reduction Policy**

Whenever in the judgment of the board it is advisable to reduce staff in the district, the board may consider the following, not necessarily in order of priority, and of which may be used in determining which staff members will be non-renewed: student need, financial condition of district, priority of programs, program elimination, recommendations of administrative staff, evaluation records, competency, qualifications, certification, longevity, educational background, continuing contract status, federal mandates, and any other relevant considerations. (Revised 12/99)

### **NEPN Code: FI**

#### **Recall**

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

Recall privileges cease when a staff member resigns. Recall privileges will also cease if upon being recalled the staff members fails to report within twenty (20) calendar days after the mailing of a written notice of recall. Such notice shall be sent by certified mail to the last address furnished to the Superintendent by the staff member and the 20 day period shall commence to run on the day the notice is mailed. Recall privileges will not apply to teachers under contract with another school district unless that recall is for anticipated positions in the ensuing year. SDCL 13-43-6.4

**NEPN Code: FJ**

#### **Jury Duty SDCL 16-13-41.2**

In the event an employee of the Timber Lake School is called to jury duty, such employee will be paid his/her regular salary minus compensation received for such jury duty. Mileage and per diem payment received for such jury duty shall not be classified as deducted compensation. If the jury duty salary is more than the employee's regular salary, the employee may elect to keep the jury duty salary and forfeit his/ her regular salary.

**NEPN Code: FK**

#### **Participation in Out of District Activities**

In the event a teacher is requested to assist an out of district school activity such as a judge, timer, etc., the person may participate, upon approval of the superintendent.

**NEPN Code: FL**

#### **Child Abuse**

All employees shall be responsible to report suspected incidents of child abuse to the principal of their respective school.

**NEPN Code: FM**

### **Fire Extinguishers**

Every teacher shall be familiar with the location of fire extinguishers in their building and shall be informed regarding the location and operation of fire alarms.

**NEPN Code: FN**

### **Probationary Contract Teacher - SDCL 13-43-6.3**

**13-43-6.3. Non-renewal of teacher's contract.** Until a teacher is in or beyond the fourth consecutive term of employment as a teacher with the school district, a school board may or may not renew the teacher's contract. The superintendent or school board shall give written notice of non-renewal by April fifteenth but is not required to give further process or a reason for non-renewal. (Revised 12/99).

**NEPN Code: FO**

**Continuing Contract Teacher SDCL 13-43-6.3**

**13-43-6.3. Non-renewal of teacher's contract.** Until a teacher is in or beyond the fourth consecutive term of employment as a teacher with the school district, a school board may or may not renew the teacher's contract. The superintendent or school board shall give written notice of non-renewal by April fifteenth but is not required to give further process or a reason for non-renewal.

After a teacher is in or beyond the fourth consecutive term of employment as a teacher with the school district, SDCL 13-43-6.1 and 13-43-6.2 apply to any non-renewal of the teacher's contract. On or before April fifteenth, the school board shall notify the teacher in writing of its intention to not renew the teacher's contract.

Acceptance by the teacher of an offer from the district to enter into a new contract with the teacher shall be in the manner specified in the offer. Failure of the teacher to accept the offer in the manner specified shall result in the termination of the existing contract between the teacher and the district at the end of its term. (Revised 12/99)

**NEPN Code: FP**

**Annual Contracts**

- a. Teachers under contract with the school will be given contracts on a yearly basis until they meet the requirements for a continuing contract. SDCL 13-43-6.1
- b. SDCL 13-43-13 - Nothing in the sections FQ and FR shall be construed as, in any manner, repealing or limiting the operations of any existing law concerning dismissal of teachers for cause.
- c. The teachers will be paid on a twelve-month pay schedule. (Per IRS ruling, Board minutes 11-13-2007)
- d. Salaries will be paid on the 20th day of the month.

**NEPN Code: FQ**

**Dismissal SDCL 13-43-15**

The school board may dismiss any teacher at any time for violation of contract, gross immorality, incompetence, or flagrant neglect of duty.

## NEPN Code: FR

### **Contract Renewal Policy**

- a. It shall be the policy of the school board to consider the first three years as provided for the continuing contract law as a probationary period.
- b. With respect to the contracts of teachers who have been on the staff for more than three years, it shall be the policy of the board to renew such contracts as provided for by state law, and the rules and regulations of the board unless there is good and just cause for doing otherwise. Good and just cause is defined as (1) incompetence; (2) physical and/or mental disability, or sickness of any type which interferes with the performance of the duty; (3) insubordination, which shall be deemed to mean a willful refusal to obey the school laws of the State, the ruling of the State Board of Education, or the rules and regulations prescribed for the government of the schools of this district by the board; (4) neglect, disregard or non-performance of duty; (5) immorality; (6) dishonesty; (7) habitual intemperance; (8) drinking of alcoholic beverages during working hours; (9) failure to comply with the educational requirements herein provided; or (10) justifiable decrease in the number of teaching positions or other good and just cause.
- c. *If a teacher breaks or "jumps" a contract accepted under FP or FQ above without mutual agreement between the board and the teacher, the board may request the Sec. of Dept. of Education and Cultural Affairs to suspend the teacher's certificate. (Changed 9-11-2006)*
- d. It is hereby resolved that this contract 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, Timber Lake School District reserves the right to pursue any remedies available by law. (Board minutes – 9/11/2006 page 2)

## NEPN Code: FS

### **Resignation of Professional Staff Members**

If a professional staff member intends to resign from his position, notice must be given to the Board at the time of contract renewal. Should a professional staff member resign at a time other than that of contract renewal, Board approval will be required to dissolve the contract. The professional staff member may be required to pay liquidation damages to be released. Legal ref.: SDCL 13-43-6 through 13-43-6.6 (Revised 12/99)



**NEPN Code: FT**

**Workman Compensation SDCL 62**

- a. Any employee who is injured in the line of duty shall receive such compensation and expenses as are prescribed by the Workman Compensation Law of the State of South Dakota.
- b. Such compensation shall be supplemented with an amount sufficient to maintain the employee's regular salary for a period not to exceed his/her sick leave reserve.
- c. Such sick leave reserve shall be charged only for the portion in excess of the compensation payment.

**NEPN Code: FU**

**Salary of Teacher Placed on Probation**

- a. A teacher on continuing contract whose work is not satisfactory may be placed on a year's probation upon the recommendation of the principal and approval of the superintendent who shall present the recommendation to the school board.
- b. Upon approval by the school board, written notice shall be given the teacher, such notice stating the points and/or reasons for being placed on probation, permitting the teacher access to the written records, an informal meeting with the principal to discuss the allegations, and the privilege to have hearing before the school board. This meeting must be sought within seven days from issuance of the notice, and the meeting with the board must be scheduled within seven days of the request by the teacher.
- c. If the board, after the meeting with the teacher, approves the recommendation, the teacher shall remain at the same step in the salary schedule as for the year just completed, and will receive the same salary as allowed under the current contract.

**NEPN Code: FV**

**Political Activity Policy**

Political affiliation or activity shall not be a factor in hiring, promotion, demotion, suspension, termination, or any other conditions and privileges or employment with Timber Lake School. School employees shall not use their

school work time or school facilities to aid, encourage, or promote candidates for elected public office whether partisan or non-partisan.

Those employees whose employment is financed by loans or grants made by the United States or a federal agency may be subject to the provisions of the Federal Elections Campaign Act (the "Hatch" Act) regardless of when or where partisan election activities occur. This Act prohibits certain types of involvement in federal, state and local elections such as use of official authority or influence to affect an election or nomination of a candidate; donations of items of value to an election fund, or becoming a candidate for office in a partisan election.

Nothing in this section shall prohibit any non-elective officer or employee in the School service from exercising his/her right as a citizen to express an opinion, cast a vote, or do any partisan or non-partisan political act not expressly prohibited herein. Questions relating to constitutional amendments, referendums, approval of state laws, and other issues of similar character are not specifically identified with a national or state political party.

An employee in the service of the school will not be obliged to, by reason of that employment, contribute to any political funds or collections or to render political service. Any employee refusing to contribute such funds or to render such service may not be removed or otherwise disciplined or prejudiced for the refusal. An employee in the school cannot use their position to coerce the political action of a school or group.

Any Timber Lake School employee may:

1. Take an active part in political management or in political campaigns, except during that employee's assigned school working hours; and
2. Hold a political office which does not interfere with the normal performance of the employee's job responsibilities, except as prohibited by State or Constitutional Law.

In the case of any Timber Lake employee running for an elective public office, the following provisions shall apply:

1. A School employee who intends to be a candidate for political office or participate in other time consuming responsibilities connected with a governmental unit other than the school must notify the Department Head in writing as soon as practically possible.
2. Due to the wide variance in demands on time and the employee's differing job responsibilities, leaves of absence for the purpose of campaigning or holding political office shall be arranged with the Department Head.
3. The Department Head shall give the employee a written copy of any agreement reached regarding the employee's political and job responsibilities.
4. Employees who are granted a leave of absence for political activity may return to their previous employment with the school without loss of position or benefits following that absence.
5. These restrictions do not apply to incumbent school officials running for reelection to their own offices.

No campaign activities for a person or party, including but not limited to, petitioning, distributing literature and posting signs shall occur in and on school buildings. However, candidates may briefly circulate through offices to meet voters.

Petitions concerning issues may be circulated within school buildings, but only within 15 feet inside the main entrances to the buildings.

**NEPN Code: FW**

**Fees and Royalties**

- a. No employee may charge fees for any service rendered the pupil. Tutoring of pupils enrolled in one's own class for pay is prohibited.
- b. No employee may purchase any goods or equipment of any kind for sale to pupils or render any commercial service to the school system on a commission basis.
- c. Authorized sale of any merchandise to pupils shall be on a cost basis.
- d. No employee shall accept any compensation, free gift, or gift from any materials, supplies, or books purchased with school district funds. Any employee willfully guilty of doing this will be dismissed immediately. A free gift included with an order should be kept and used at the school.

**NEPN Code: FX**

**Increments for Experience Outside District**

At the discretion of the Board of Education, all teachers on the staff of the Timber Lake Schools and all teachers elected to the staff for the first time may be granted credit on the salary schedule for approved teaching experience outside the Timber Lake Schools. The amount of credit granted shall be determined by the Board of Education. (6-27-01).

**NEPN Code: FY**

**Evaluation Policy**

- a. The purpose of the evaluation shall be to improve instruction.

- b. Each teacher and administrator shall be evaluated. Teachers and administrators shall be evaluated a minimum of one (1) time a year. A teacher may be designated an *Individual Growth Plan* for one year, as the following year will consist of an evaluation, per SDCL 13-42-34.
- c. Evaluation shall be ongoing with drop-in and formal visits to the classroom.
- d. Teachers shall be evaluated in the following areas in accordance to SDCL:
  - 1. Planning and Preparation
  - 2. The Classroom Environment
  - 3. Instruction
  - 4. Professional responsibilities.
- e. The results of the evaluations will be twofold.
  - 1. To improve instruction
  - 2. To make an employment recommendation

Revised: 6/13/18

Revised: 8/11/14

**NEPN Code: FZ**

### **Conduct of Evaluation**

Evaluation activities shall occur with the full knowledge of the evaluatee and conducted as follows:

- 1. The evaluation criteria in 24:08:05:03 shall be stated in writing. At the beginning of the evaluation period, the evaluatees shall receive copies of the policy adopted by persons who will evaluate them
- 2. Closed circuit television, public address systems, audio systems, or recording devices may be used only with the consent of the evaluatee.
- 3. The evaluation shall be in writing and acknowledged by the signatures of the evaluator and evaluatee. Such signatures do not denote agreement with the evaluation. The evaluatee shall receive a copy of all written evaluations. The evaluatee may make a demurral statement concerning any part of the evaluation with which the evaluatee disagrees and may attach the statement to the evaluation;
- 4. All candidates for employment by a school district shall be made aware that a written copy of the evaluation policy is available for their perusal.

**NEPN Code: FAA**

### **Evaluation Outcomes**

A written recommendation shall be presented to the evaluatee as a result of the evaluation. The evaluator shall apprise the evaluatee of the final recommendation in a conference as soon as practicable.

Recommendations shall consist of one of the following:

1. Recommendation for continued employment;
2. Recommendation for continued employment with qualifications;
3. Recommendation for non-renewal.

### **NEPN Code: FAB**

**Use of School Vehicle** (Approved 4-12-99) See Section ED for agreement.

- A. The general philosophy of the Board of Education is that transportation equipment purchased by the school district is to be used primarily for school purposes, and that taxpayers will not be expected to subsidize busing equipment or personnel not necessary for school district purposes. Nevertheless, it is the policy of the Board of Education to make available for use by appropriate community groups school transportation equipment to the extent that such use does not impinge upon/impair use for school district purposes.
- B. Employee Use of School Vehicle:
  1. Make reservation for use of the vehicle with the superintendent's secretary.
  2. Make sure that the vehicle is full of gas before you leave and when you return.
  3. Check the key out at the main office and return the key to the main office.
  4. The vehicle should be as clean inside when it is returned as it was when you took it.
  5. No smoking in the vehicle.
  6. Refusal of an employee to not use the school vehicle and to use employee's personal vehicle must be approved by the superintendent. The rate of mileage shall be at the state rate per mile or 5 cents per mile less if employee refuses school vehicle for school business.
  7. Driver must have a valid driver's license.
  8. Accidents must immediately be reported to law enforcement.
  9. Employees entrusted with motor vehicles are responsible at all times for the proper care, operation, maintenance, and protection of the vehicle.

Grounds constituting sufficient cause for adverse action occurs when the employee:

- 1) is convicted of operating under the intoxicating influence of alcohol, narcotics, or pathogenic drugs;

- 2) is convicted of leaving the scene of an accident without making himself/herself known;
- 3) is not qualified to operate a school vehicle safely because of a physical or medical condition
- 4) State license is revoked or suspended.
- 5) Improperly operates the motor vehicle assigned to him/her.

**NEPN Code: FAC**

**Travel Allowance**

Travel allowance for all employees on school business shall be actual expenses for room and state rate for meals and mileage. To receive travel allowance for meals, you must stay overnight. (Approved 9-12-2005)

**NEPN Code: FAD**

**EMPLOYEE GRIEVANCE PROCEDURE POLICY**

**I. Definitions**

- a. A grievance is a complaint by a person or group of persons employed by the Timber Lake District 20-3, made either individually or by a duly recognized employee association through its representative, that there has been a violation, misinterpretation or inequitable application of any existing agreement, contract, policy, rule, practice, or procedure of the board. Negotiations for, or a disagreement over a nonexistent agreement, contract, policy, rule practice or procedure is not a "grievance".
- b. Non-renewal of contract is not a cause for "grievance".
- c. An "aggrieved person" is the person or group of persons making the claim.
- d. "Board" means the school board.
- e. "Days" shall mean calendar days unless otherwise specified.
- f. "Employee" as used in this policy is considered to apply to any person employed by the Timber Lake School District 20-3.
- g. "Party in interest" is the person or persons making the claim and/or any person who might be required to take action or against whom action might be taken in order to resolve the problem.

**II. Purpose**

- a. The purpose of this procedure is to secure, at the lowest possible level, equitable solutions to the problems which may from time to time arise between employees and the School District and to facilitate this purpose,

these proceedings will be kept as informal and confidential as may be appropriate at any level of the procedure.

- b. Nothing herein contained shall be construed as limiting the rights of any employee having a grievance to discuss the matter informally with any appropriate member of the administration and having the grievance adjusted without the intervention of the employee association, provided the adjustment is not inconsistent with the terms of any settlement with the employee association then in effect. The employee or the administrator involved in the grievance may be represented by a representative at such an informal discussion only by the mutual consent of the employee and the appropriate member of the administration.

### III. Time Limits

- a. It is important that grievances be processed as rapidly as possible and every effort should be made to expedite grievance procedure.
- b. If the employee does not file a grievance in writing with the immediate supervisor within thirty days after the employee knew, or should have known, of the act or condition on which the grievance is based, the grievance shall be considered as having been waived.

### IV. Informal Procedures

- a. If an employee feels he/she has a grievance, he/she should first discuss the matter with his/her immediate supervisor, to whom he/she is directly responsible in an effort to resolve the problem.
- b. If, after such discussion with the supervisor, the employee is not satisfied with the disposition of the matter, he/she shall have the right to present the matter to and discuss it with the superintendent.

### V. Formal Procedures

#### a. **Level One - Principal**

If an aggrieved person is not satisfied with the disposition of the problem through informal procedures, the employee may submit a claim in writing to his/her principal. The principal shall, within five days, render his/her decision and the reasons therefore in writing to the complainant. The principal shall keep on file a statistical summary of the number and types of grievances processed, included the names and details of the grievances.

#### b. **Level Two – Superintendent**

If the aggrieved person is not satisfied with the disposition of the grievance by the principal, or if no decision has been rendered within five days after presentation of the grievance in writing, the person may file a formal written grievance with the superintendent and the superintendent shall meet with the aggrieved person and a representative if the aggrieved person desires representation, for the purpose of considering the grievance. The superintendent shall within ten days of such meeting, render a decision and the reasons therefore in writing to the complainant.

#### c. **Level Three - School Board**

If the aggrieved person is not satisfied with the disposition of the grievance by the superintendent or if no decision has been rendered within ten days after conference with the superintendent, the aggrieved person may file the grievance with the Timber Lake School Board (by filing with the Business Manager). The Timber Lake School District Board may appoint a committee and set a time and place for hearing. The committee shall consider the complaint and report to the Timber Lake School District Board at the next regular or special meeting. The aggrieved person, with a representative of his/her choice, if desired, may appear before the Board at such meeting. A decision

of the board of such grievance shall be rendered in writing to the aggrieved person within ten days after such meeting.

**d. Level Four**

If the aggrieved person is not satisfied with the disposition of the grievance at Level three or, if no written decision has been rendered within the time period set forth in the preceding paragraph, he/she may, within ten (10) days after receipt of the written decision of the Board, or within ten (10) days of the day when the decision is due, whichever is earlier, appeal to the Department of Labor, pursuant to SDCL 3-18-15.2. The inclusion of this paragraph in this Grievance Procedure shall not constitute a waiver by either party of its rights to dispute and authority of the Department of Labor to hear the appeal and/or render any particular decision.

**e. Level Five**

All provisions as provided in SDCL 3-18-15.2

**VI. Miscellaneous**

- a. Any party or parties in interest shall appear and may, upon two days' notice in writing to the other party, have council present at formal levels.
- b. Meetings and hearings under this procedure shall not be conducted in public and shall include such parties and only such parties in interest and their designated or selected representatives heretofore referred to in this Grievance Procedure. The vote on the Board's decision on Level III grievances shall be made in open session.
- c. When it is necessary for a party or parties in interest to attend a board meeting or a hearing called during the working day, the Director shall so notify the party or parties in interest, immediate supervisor, and the party or parties in interest shall be released without loss of pay for such time as their attendance is required at such meeting or hearing.

Page 1

**Request for Settlement of Grievance**

**LEVEL ONE**

(To be completed by aggrieved person)

Date of Presentation to Principal: \_\_\_\_\_

Name of Aggrieved Person: \_\_\_\_\_

Home Address: \_\_\_\_\_

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



Principal:

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NATURE OF GRIEVANCE:

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SETTLEMENT REQUESTED:

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SIGNED: \_\_\_\_\_

Aggrieved Person

Page 2

Reply to LEVEL ONE Grievance

Date Reply sent to Aggrieved Person:

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Name of Aggrieved Person:

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Home Address:

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School:

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Date of presentation of grievance of Principal:

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Reply of Principal with Rationale:

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Signed: \_\_\_\_\_

Principal

Request for Settlement of Grievance

LEVEL TWO

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

Date of presentation to Superintendent:

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Name of Aggrieved Person:

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Home Address:

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School:

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Date of reply to LEVEL ONE Grievance:

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State reasons for submission of grievance to LEVEL TWO:

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Settlement requested:

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Signed:

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Aggrieved Person

Page 4

Reply to LEVEL TWO Grievance

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

Date Reply sent to Aggrieved Person: \_

\_\_\_\_\_

Name of Aggrieved Person:

\_\_\_\_\_

Home Address:

\_\_\_\_\_

\_\_\_\_\_

School:

\_\_\_\_\_

Date of submission of Grievance to Superintendent: \_\_\_\_\_

Decision of Superintendent with Rational:

\_\_\_\_\_

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\_\_\_\_\_

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\_\_\_\_\_

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

Page 5

Request for Settlement of Grievance

LEVEL THREE

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

Date of submission to Business Manager:

\_\_\_\_\_

Name of Aggrieved Person:

\_\_\_\_\_

Home Address:

\_\_\_\_\_

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

\_\_\_\_\_

Date of Rely of Superintendent to LEVEL TWO Grievance:

\_\_\_\_\_

\_\_\_\_\_

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State Reason for submission of Grievance to LEVEL THREE:

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Settlement Requested:

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

Page 6

Reply to LEVEL THREE Grievance

LEVEL THREE

Date Reply sent to Aggrieved Person:

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Name of Aggrieved Person:

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Home Address:

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School:

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Date of Submission of Grievance to Business Manager - LEVEL THREE:

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Date of Hearing with School Board:

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Decision of the School Board with Rationale:

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

WITHDRAWAL OF GRIEVANCE

Date of Withdrawal:

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Name of Aggrieved Person:

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Home Address:

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School:

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Present Level of Grievance (check one)

-----LEVEL ONE

-----LEVEL TWO

-----LEVEL THREE

Date on which Grievance was submitted at this Level: \_\_\_\_\_

Brief description of nature of Grievance:

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Request for Withdrawal:

I hereby request that the above grievance be withdrawn from further consideration without prejudice or record. I acknowledge that I may not reopen this grievance.

Signed: \_\_\_\_\_

Aggrieved Person



**Employee communicable diseases policy**

The Board of Education recognizes its responsibility to provide a safe and healthy working environment for its employees. It is recognized that when working together in a school, employees may be exposed to a variety of communicable diseases which may affect their personal health or the health of fellow employees. The following policy will be utilized in determining the continued employment of an infected employee.

The Board of Education further recognizes the importance of protecting the privacy rights of employees who have a communicable disease. Therefore, the confidentiality of the infected employee will be protected in the following manner: health information related to the disease will be released only when the employee gives written permission, or if it is ordered to be released by the court. The information will be released only to those persons determined by the Superintendent to have a direct need to know.

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 building principal.

In situations where the decision requires additional knowledge and expertise, the employee's supervisor will refer the case to the Superintendent to determine the proper course of action. The Superintendent will be responsible for convening the advisory committee with a membership which will include the following:

1. The Superintendent
2. The School Health Coordinator
3. The building principal

The advisory committee, when appropriate, may also consult the following:

1. The South Dakota Communicable Disease Advisory Committee
2. The employee's personal physician
3. The employee and/or employee's representative
4. Other appropriate medical personnel as deemed necessary

The advisory committee shall consider the following in their deliberations:

1. The type and severity of the communicable disease
2. The guideline recommendation
3. The potential risk to the infected employee and other staff members
4. The expected type(s) of interaction with others in the school setting
5. The physical condition of the school employee

When determining appropriate action in regard to an employee with AIDS, the Advisory Committee will seek assistance from the S.D. Secretary of Health (605-773-3737)

Whenever necessary, instruction in appropriate handling of blood and body fluids will be provided to school employees. Hand washing after contamination, food preparation and health/hygiene care performed in different sink and work areas, maintenance cleaning and other personal hygiene measures are part of creating a healthy environment.

Guidelines to be used in the administration of this policy have been written, and are to be used as a guide by the building principal and the advisory council in making decisions regarding continued employment or termination. Specific needs of individual cases will be addressed on a case by case basis.

Reference: S.D. Department of Health Memorandum, March 20, 1986.

## **Employee Communicable Disease Guidelines:**

<u>DISEASE</u>	<u>EXCLUSION RULES</u>
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Acquired Immune Deficiency Syndrome (AIDS): Determination will be made by the Advisory Committee as outlined in the Communicable Disease Policy.

CHICKEN POX: The employee may attend work after all pox are dry and scabbed.

CYTOMEGALOVIRUS (CMV) SALIVARY GLAND VIRUSES: The employee may attend work. Precautions should be taken by contacts with 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 or transfer of infection.

GIARDIASIS (INTESTINAL PROTOZOAN INFECTION): The employee may attend work. Good hand washing in all cases should eliminate risk of transfer of infection.

HERPES SIMPLEX: The employee may attend work during an active case. Good hand washing in all cases should eliminate risk of transfer of infection.

IMPETIGO: The Employee may attend work if treatment is verified and covered or dry.

INFECTIOUS HEPATITIS: The employee may attend work as directed by the physician. Appropriate personal hygiene precautions should eliminate risk of transfer of infection.

MONO (INFECTIOUS MONONUCLEOSIS, GLANDULAR FEVER): The employee may attend work as directed by the physician.

PEDICULOSIS (LICE,"CRABS"): The employee may attend work after treat

PINK EYE (CONJUNCTIVITIS): The employee may attend work after the eye is no longer inflamed or under medical management.

RING WORM (SCALP, BODY, and ATHLETES FOOT): The employee may attend work if the area is under treatment and covered.

SCABIES (7 YEAR ITCH OR MITES): The employee may attend work after treatment.

STREPTOCOCCAL INFECTIONS (SCARLET FEVER, SCARLATINA, STREP THROAT):

The employee may attend work 24 hours after initiating oral antibiotic therapy, and is clinically well.

TUBERCULOSIS: The employee may attend work upon presentation of a physician's written permission.

**All communicable and chronic disease must be reported to the Health Office.**

Any questions pertaining to interpretation of these guidelines should be referred to school health personnel.

<b>Associated School Boards of South Dakota</b>	<b>NEPN Code: FAF</b>
<b>Policy Reference Manual</b>	

## NONCRIMINAL JUSTICE APPLICANT'S PRIVACY RIGHTS

As an applicant who is the subject of a national (FBI) fingerprint-based criminal history record check for a noncriminal justice purpose (such as an application for employment), you have certain rights which are discussed below.

- You must be provided written notification<sup>(1)</sup> that your fingerprints will be used to check the criminal history records of the FBI.
- You must be provided, and acknowledge receipt of, an adequate Privacy Act Statement when you submit your fingerprints and associated personal information. This Privacy Act Statement should explain the authority for collecting your information and how your information will be used, retained, and shared.<sup>(2)</sup>
- If the FBI criminal background check reveals that you have a criminal history record, the officials making a determination of your suitability for the employment must provide you the opportunity to complete or challenge the accuracy of the information in the record.
- The officials must advise you that the procedures for obtaining a change, correction, or update of your criminal history record are set forth at Title 28, Code of Federal Regulations (CFR), Section 16.34.

You have the right to expect that officials receiving the results of the criminal history record check will use it only for authorized purposes and will not retain or disseminate it in violation of federal statute, regulation or executive order, or rule, procedure or standard established by the National Crime Prevention and Privacy Compact Council.<sup>(3)</sup>

FBI rules prohibit the District from providing you a copy of the FBI record. You may obtain a copy of the record by submitting fingerprints and a fee to the FBI. Information regarding this process may be obtained at <https://www.fbi.gov/services/cjis/identity-history-summary-checks>.

If you decide to challenge the accuracy or completeness of your FBI criminal history record, you should send your challenge to the agency that contributed the questioned information to the FBI. Alternatively, you may send your challenge directly to the FBI. The FBI will then forward your challenge to the agency that contributed the questioned information and request the agency to verify or correct the challenged entry. Upon receipt of an official communication from that agency, the FBI will make any necessary changes/corrections to your record in accordance with the information supplied by that agency. (See 28 CFR 16.30 through 16.34.)

<sup>(1)</sup> Written notification includes electronic notification, but excludes oral notification.

<sup>(2)</sup> <https://www.fbi.gov/services/cjis/compact-council/privacy-act-statement>

<sup>(3)</sup> See 5 U.S.C. 552a(b); 28 U.S.C. 534(b); 42 U.S.C. 14616, Article IV(c); 28 CFR 20.21(c), 20.33(d) and 906.2(d)

Adopted: 9-13-2017

Revised:

<b>Timber Lake School District</b>	<b>NEPN Code: GA</b>
<b>Policy Manual</b>	

### Substitute Teachers and Aides

- a. Substitute teachers are expected to comply with all the regulations governing regular teachers. They shall maintain the hours in the building as other teachers. They shall assume responsibility in management of building and grounds, and in extra-curricular activities, as directed by the principal.
- b. It shall be the duty of the substitute teacher to acquaint themselves with the duties required of them. In the performance of this duty, they shall always report to the principal before assuming charge of a classroom.
- c. In all cases, the notices to substitutes will be given from the office of the principal in the building where the substitute is needed.
- d. \$90.00 per day for the first four days as a substitute teacher, aid, or secretary; on the fifth consecutive day for the same teacher, aid, or secretary \$105.00 per day. Not retroactive. (Revised 08/16/2017)
- e. Saturday detention will receive \$15.00 per hour. (Revised 08/16/2017)  
Revised: 9-13-17  
Reviewed:

**NEPN Code: GB**

### **General Requirements of Employment for Custodial Employees**

- a. A new custodial employee is on probation the first six months. During this time, two evaluations are completed, one at the end of the third month, and the other at the end of the sixth month. Thereafter, an evaluation will be made once a year. However, an evaluation can be made any time, if deemed necessary.
- b. Custodian employees shall be employed full-time and shall be responsible for checking on the heating system and buildings during all holidays and weekends.

c. Custodial employees shall be responsible to the superintendent of schools.

d. Cafeteria and lunch room employees shall be directly responsible to the cafeteria manager. The cafeteria manager is responsible to the superintendent of schools.

**NEPN Code: GC**

### **Employment Procedures for Non Certified Staff**

A written letter of application must be submitted to the superintendent of schools. A personal interview and references may be required.

**NEPN Code: GD**

### **Duties of Custodial Employees**

- a. To keep all buildings and grounds in proper maintenance and appearance.
- b. Proper operation of ventilation, heating, and mechanical equipment.
- c. Each day school is in session, display the United States flag at the front of the building, maintaining proper flag etiquette at all times.
- d. Perform minor building maintenance and repair as directed by the superintendent of schools.

**NEPN Code: GE**

### **Cafeteria Employees Duties**

The employees shall perform such duties in the selection of, preparation of, and serving of food as shall be assigned by the cafeteria manager.

**NEPN Code: GF**

### **Medical Examination**

All custodians, aides, and cafeteria employees shall submit evidence of good health and observe the same rules and regulations relating thereto as are required of the instructional employees. Cafeteria workers must comply with state regulations concerning food handlers.

**NEPN Code: GG**

**Suspension and Dismissal of Non Instructional Employees**

- a. The school board may dismiss any non-instructional employee at any time with two weeks' notice.
- b. Any person, whose employment is terminated, as provided in the policies, forfeits all accrued rights and privileges, including leaves and vacations.

**NEPN Code: GH**

**Vacation\***

Non instructional permanent employees who are employed twelve (12) calendar months shall be granted annual or vacation leave at a rate of one (1) day per month. Permanent full-time employees with five years continuous employment shall earn one (1) additional day of vacation per year up to 15 days of vacation. Permanent full-time employees with 10 years of continuous employment shall earn one (1) additional day of vacation time, with a maximum vacation time of 16 days per year. Permanent full-time employees with 15 continuous years of employment shall earn an additional one (1) day of vacation time, with the maximum vacation time of seventeen (17) days per year. Vacation time can be accumulated to a total of four weeks. Prior approval must be obtained from the Superintendent at least 7 days in advance before vacation is taken. Vacation days will be paid out to the employee upon resignation or retirement. In the case of employee termination see policy 4.6 in regards to accrued rights and privileges.

Vacation leave will be accrued at the end of each and every monthly pay period according to the following schedule:

<u>YEAR COMPLETED</u>	<u>DAYS OF</u>
	VACATION
0	12
1	----- 12
2	----- 12
3	----- 12
4	----- 12
5	----- 12
6	----- 13
7	----- 14

8 -----	15
9 -----	15
10 -----	15
11 -----	16
12 -----	16
13 -----	16
14 -----	16
15+ -----	17

Approved 4-12-99  
Revised: 6-28-17

## NEPN Code: GI

### Holidays

- a. The school shall be closed in accordance with the official school calendar.
- b. The closing of school on any day other than regular vacation will be only by recommendation of the superintendent of schools to the school board, except in cases of emergency in which case the school board hereby delegates responsibility to the superintendent of schools.
- c. It shall be the policy of the Timber Lake School District 20-3 to strive to keep energy consumption to a minimum through conservation practices and procedures developed and implemented by the administration, and approved by the school board.
- d. The district provides the following days as paid holidays to all regular full-time employees who work twelve (12) consecutive months and who are paid on a hourly rate and generally work over 30 hours per week.  
(Revised 01/00):  
New Year's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, Christmas Day.  
When school is held on Veteran's Day, the day after Thanksgiving will be considered a paid holiday.

When a holiday falls on Sunday, the following Monday will be considered a paid holiday, and when a holiday falls on a Saturday, the preceding Friday will be considered a paid holiday providing school is not in session. When school is held on Veteran's Day, the day after Thanksgiving will be considered a paid holiday.

The District provides the following days as paid holidays to all regular full-time employees who work at least nine (9) but less than twelve (12) consecutive months and who are paid on a hourly rate and generally work over 30 hours per week, New Year's Day, Veteran's Day, Thanksgiving Day and Christmas Day. (Revised 01/00)  
When school is held on Veteran's Day, the day after Thanksgiving will be considered a paid holiday.

When 9, 10, or 11 month employees are required to work before Labor Day or after Memorial Day they will receive Labor Day or Memorial Day as a paid holiday. All full time employees will receive his/her regular straight time hourly rate based on their regularly scheduled hours up to eight hours of pay for the paid holidays listed. All hourly employees when school is held on a paid holiday and employees are required to work that day, they will receive holiday pay in addition to their regular pay for that day.



<b>Timber Lake School District</b>	<b>NEPN Code: GJ</b>
<b>Policy Manual</b>	

**Sick Leave - for all full time employees.\***

- a. Sick leave allowances are available for all full time employees of the Timber Lake School. Sick leave is provided to give a reasonable amount of protection for employees and the district so that employees will not feel compelled to attend to duties when it is unwise to do so.
- b. Sick leave shall be accumulated at the rate of one day per month starting in August. During a year when school does not begin until September than two days shall be credited for the month of September in order to give credit for ten days per year. Unused sick leave may be accumulated to a maximum of **60** days. If, after having accumulated the maximum sick leave credit, the balance is paid out at the rate of teacher negotiations for the year.
- c. Sick leave may be taken for personal illness as well as illness or death in the immediate family. Sick leave may not be taken for less than one half day. Each employee will be allowed two days of bereavement leave each year to attend funerals of persons not covered in this section. These days will be deducted from employee's sick leave.
- d. When accumulated sick leave days for a regularly appointed full-time employee are exhausted, the employees name shall be dropped from the payroll.
- e. An employee who is not able to return to duty on Monday following two weeks of illness may be required to present a certificate of ableness signed by the employee's physician to the superintendent of schools upon his/her return to work.
- f. Twelve month employees may not use sick leave as vacation leave.
- g. Pregnancy leave of absence will be treated the same as any other medical related leave.
- h. Any unused sick leave balance is not paid for upon employee termination. (2-15-01)
- i. A full time employee is one that regularly works 30 hours or more per week and at least nine months per year.
- j. Personal leave plan for all (10-month non-instructional) full time employees:

**Bus Drivers:** Bus drivers will receive nine (9) days of leave to be used for any purpose. Bus Drivers shall not carry over any leave. Unused leave is paid out at \$45 a day.

The superintendent may grant short leaves of absence to employees for personal reasons. Personal leave is limited to (5) five days per year. No short leaves will be granted during

the first week or the last two weeks of the school year, the last week of the first semester, the first week of the second semester, or the day before or after a regular vacation unless granted by the superintendent. Requests for this leave of absence for personal reasons shall be inaugurated through the principal of the employee involved or the supt. of the employee involved. At least 24 hours notice will be given. Additional short leave may be granted at the discretion of the superintendent; however, the employee's salary will be reduced by their daily salary.

Updated: 9-13-17

**NEPN Code: GK**

**Jury Duty SDCL 16-13-41.2**

In the event an employee of the Timber Lake School is called to jury duty, such employee will be paid his/her regular salary minus compensation received for such jury duty. Mileage and per diem payment received for such jury duty shall not be classified as deducted compensation. If the jury duty salary is more than the employee's regular salary, the employee may elect to keep the jury duty salary and forfeit his/her regular salary.

**NEPN Code: GL**

**Resignation of Non instructional or Non certified Staff**

Resignation shall be in writing and filed with the superintendent at least two weeks prior to the effective date of resignation. Such notice may be waived under extenuating circumstances as determined by the superintendent.

**NEPN Code: GM**

**Workman Compensation**

Any employee who is injured in the line of duty shall receive such compensation and expenses as are prescribed by the Workman Compensation Law of the State of South Dakota. The employee will receive his/her regular wages for the number of days equal to his/her accumulated sick leave, after which he/she will receive the workmen compensation.

**NEPN Code: GN**

**Payment of Salary**

All employees shall receive their salary according to a time schedule established by the school board. Salaries will be paid on the 20th of the month.

### **Salary**

All employees shall be paid according to the salary adopted by the school board.

**NEPN Code: GO**

### **Football and Track Caretaker**

- a. Keep the football field, track, and total complex in proper shape and appearance and other related duties.
- b. Job runs from approximately April through October.

**NEPN Code: GP**

### **Employee Duty**

It shall be the duty of all employees to keep informed concerning the rules, policies, and regulations of the School Board.

**NEPN Code: GQ**

### **Civil Defense Radio Direction, Policy for Bus Drivers & Etc. (Revised 7-00)**

There is a radio in Main Office and in the Superintendent's house. Both places will answer to the "Timber Lake School".

There is usually someone at or near the radio from the time the buses leave in the morning until they return. The same is true for the afternoon run. If you cannot reach them, try again in a few minutes. If after several tries at different intervals you cannot reach the school, try the following:

1. Try calling another one of our buses as your radio may not be working or you might be in a dead spot. The other bus can then contact the school.
2. Try calling the Dewey County Sheriff Office (241-A) or the Timber Lake City Police (242-A).
3. Other Civil Defense Units you can call are:

201-B Corson County Deputy Sheriff  
Lemmon Civil Defense 531  
Isabel Civil Defense  
McLaughlin School  
Dupree School

Thunder Hawk Civil Defense  
Mobridge Civil Defense 631  
KOLY  
Timber Lake School  
201-C McLaughlin Deputy Sheriff

Or make a general call to anyone that may hear you. You can ask them to land line the school at 865-3654 or Superintendent's home at 865-3130.

### **NEPN Code: GR**

#### **Employee communicable diseases policy**

The Board of Education recognizes its responsibility to provide a safe and healthy working environment for its employees. It is recognized that when working together in a school, employees may be exposed to a variety of communicable diseases which may affect their personal health or the health of fellow employees. The following policy will be utilized in determining the continued employment of an infected employee.

The Board of Education further recognizes the importance of protecting the privacy rights of employees who have a communicable disease. Therefore, the confidentiality of the infected employee will be protected in the following manner: health information related to the disease will be released only when the employee gives written permission, or if it is ordered to be released by the court. The information will be released only to those persons determined by the Superintendent to have a direct need to know.

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 building principal.

In situations where the decision requires additional knowledge and expertise, the employee's supervisor will refer the case to the Superintendent to determine the proper course of action. The Superintendent will be responsible for convening the advisory committee with a membership which will include the following:

1. The Superintendent
2. The School Health Coordinator
3. The building principal

The advisory committee, when appropriate, may also consult the following:

1. The South Dakota Communicable Disease Advisory Committee
2. The employee's personal physician
3. The employee and/or employee's representative
4. Other appropriate medical personnel as deemed necessary

The advisory committee shall consider the following in their deliberations:

1. The type and severity of the communicable disease
2. The guideline recommendation
3. The potential risk to the infected employee and other staff members

4. The expected type(s) of interaction with others in the school setting
5. The physical condition of the school employee

When determining appropriate action in regard to an employee with AIDS, the Advisory Committee will seek assistance from the S.D. Secretary of Health (605-773-3737)

Whenever necessary, instruction in appropriate handling of blood and body fluids will be provided to school employees. Hand washing after contamination, food preparation and health/hygiene care performed in different sink and work areas, maintenance cleaning and other personal hygiene measures are part of creating a healthy environment.

Guidelines to be used in the administration of this policy have been written, and are to be used as a guide by the building principal and the advisory council in making decisions regarding continued employment or termination. Specific needs of individual cases will be addressed on a case by case basis.

Reference: S.D. Department of Health Memorandum, March 20, 1986.

### **Employee Communicable Disease Guidelines:**

#### DISEASE

#### EXCLUSION RULES

Acquired Immune Deficiency Syndrome (AIDS): Determination will be made by the Advisory Committee as outlined in the Communicable Disease Policy.

CHICKEN POX: The employee may attend work after all pox are dry and scabbed.

CYTOMEGALOVIRUS (CMV) SALIVARY GLAND VIRUSES: The employee may attend work. Precautions should be taken by contacts with 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 or transfer of infection.

GIARDIASIS (INTESTINAL PROTOZOAN INFECTION): The employee may attend work. Good hand washing in all cases should eliminate risk of transfer of infection.

HERPES SIMPLEX: The employee may attend work during an active case. Good hand washing in all cases should eliminate risk of transfer of infection.

IMPETIGO: The Employee may attend work if treatment is verified and covered or dry.

INFECTIOUS HEPATITIS: The employee may attend work as directed by the physician. Appropriate personal hygiene precautions should eliminate risk of transfer of infection.

MONO (INFECTIOUS MONONUCLEOSIS, GLANDULAR FEVER): The employee may attend work as directed by the physician.

PEDICULOSIS (LICE,"CRABS"): The employee may attend work after treat

PINK EYE (CONJUNCTIVITIS): The employee may attend work after the eye is no longer inflamed or under medical management.

RING WORM (SCALP, BODY, ATHLETES FOOT): The employee may attend work if the area is under treatment and covered.

SCABIES (7 YEAR ITCH OR MITES): The employee may attend work after treatment.

STREPTOCOCCAL INFECTIONS (SCARLET FEVER, SCARLATINA, STREP THROAT):  
The employee may attend work 24 hours after initiating oral antibiotic therapy, and is clinically well.

TUBERCULOSIS: The employee may attend work upon presentation of a physician's written permission.

**All communicable and chronic disease must be reported to the Health Office.**

Any questions pertaining to interpretation of these guidelines should be referred to school health personnel.

#### **NEPN Code: GS**

### **SUBSTITUTE TEACHER TRAINING POLICY AND HANDBOOK**

Substitute teachers will be orientated, individually or collectively, in regard to school policy according to official board policy manual, teacher's manual, and the student/and or parent handbook.

Specific items which may not be covered in manuals such as schedules, taking roll, hall duty and use of certain school forms will be explained.

Each substitute teacher will receive orientation on and a copy of guidelines for substitute teachers, and a copy of the guidelines will be maintained in a folder by each teacher.

Each regular and special services staff shall maintain and have available a substitute teacher folder that contains information and procedures for the substitute teacher such as: Opening exercises, lunch, dismissal, fire drill, discipline plans, daily schedule, seating charts, and information on students who attend special services and time schedule.

Substitute teachers will be appointed by the principal involved.

Whenever possible, the teacher and substitute should contact each other in regard to assignments and special instructions. If this is not possible the teacher will leave lesson plans in the office or by their desks accompanied by the Substitute Teacher Folder.

Substitute teachers can expect to receive the same courtesy and respect from students as the regular teacher in all situations. (Revised 07/00)

The substitute teacher's pay will be determined by the Board of Education.

Substitute teachers will be provided with a teacher's and student's handbook. It shall be the duty of the substitute teachers to acquaint themselves with the duties as stated by the handbooks. In the performance of this duty, they shall always report to the principal before assuming charge of a classroom for the first time. Substitute teachers are

expected to comply with all the regulations governing regular teachers. They shall maintain the hours in the buildings as other teachers.

They shall assume responsibility in the management of building and grounds, and in extra-curricular activities, as directed by the principal. The substitute shall correct all papers accruing while on duty.

#### Guidelines for substitute teachers

The following are guidelines for substitute teachers in the Timber Lake School. The purpose is:

- (1) to help substitute teachers in our schools to be as effective as possible in the absence of the regular teacher;
  - (2) to help substitute teachers know what is expected in their role as a substitute teacher;
  - (3) to help the substitute teacher feel more comfortable in the school or classroom setting.
- 
1. The Timber Lake School will abide with the substitute rules as described in Rule Number 24:03:05:07 and 24:03:05:08 of the Accreditation Standards.
  2. The administration will maintain a list of substitute teachers.
  3. Substitute teachers are to maintain an 8:00 A.M. - 3:40 P.M. schedule.
  4. Follow the teacher's lesson plans as closely as possible and other instructions on attendance, lunch and opening exercises, time to be in the classroom before school starts and noon hour, etc. Feel free to ask other teachers for assistance or to answer any questions you may have.
  5. Leave a note explaining what has been covered or presented from the teacher's plans for that day.
  6. Be aware of the Discipline Plan for your classroom and attempt to use this approach for behavior control when and if necessary.
  7. Leave a note on behavior problems encountered, if any, and the names of students.
  8. Leave a note if any unusual incidents occurred that the regular teacher should be aware of.
  9. Correct papers.
  10. Each teacher will have a Substitute Teacher Folder with information and procedures for his/her classroom readily available on or in the teacher's desk.
  11. Leave the room and desk orderly upon leaving for the day.

**NEPN Code: GT**

#### **Work Week Policy**



The Timber Lake School District 20-3 adopted a seven (7) day work week for all non-certified employees commencing midnight 12:01 A.M. Sunday and ending midnight 11:59 P.M. Saturday. Time sheets are to be turned in and signed by the employee and the Business Manager.

**NEPN Code: GU**

**Child Abuse**

All employees shall be responsible to report suspected incidents of child abuse to the principal of their respective school.

**NEPN Code: GV**

**EMPLOYEE GRIEVANCE PROCEDURE POLICY**

**I. Definitions**

- a. A grievance is a complaint by a person or group of persons employed by the Timber Lake District 20-3, made either individually or by a duly recognized employee association through its representative, that there has been a violation, misinterpretation or inequitable application of any existing agreement, contract, policy, rule, practice, or procedure of the board. Negotiations for, or a disagreement over a nonexistent agreement, contract, policy, rule practice or procedure is not a "grievance".
- b. Non-renewal of contract is not a cause for "grievance".
- c. An "aggrieved person" is the person or group of persons making the claim.
- d. "Board" means the school board.
- e. "Days" shall mean calendar days unless otherwise specified.
- f. "Employee" as used in this policy is considered to apply to any person employed by the Timber Lake School District 20-3.
- g. "Party in interest" is the person or persons making the claim and/or any person who might be required to take action or against whom action might be taken in order to resolve the problem.

**II. Purpose**

- a. The purpose of this procedure is to secure, at the lowest possible level, equitable solutions to the problems which may from time to time arise between employees and the School District and to facilitate this purpose, these proceedings will be kept as informal and confidential as may be appropriate at any level of the procedure.
- b. Nothing herein contained shall be construed as limiting the rights of any employee having a grievance to discuss the matter informally with any appropriate member of the administration and having the grievance adjusted without the intervention of the employee association, provided the adjustment is not inconsistent with the terms of any

settlement with the employee association then in effect. The employee or the administrator involved in the grievance may be represented by a representative at such an informal discussion only by the mutual consent of the employee and the appropriate member of the administration.

### III. Time Limits

- a. It is important that grievances be processed as rapidly as possible and every effort should be made to expedite grievance procedure.
- b. If the employee does not file a grievance in writing with the immediate supervisor within thirty days after the employee knew, or should have known, of the act or condition on which the grievance is based, the grievance shall be considered as having been waived.

### IV. Informal Procedures

- a. If an employee feels he/she has a grievance, he/she should first discuss the matter with his/her immediate supervisor, to whom he/she is directly responsible in an effort to resolve the problem.
- b. If, after such discussion with the supervisor, the employee is not satisfied with the disposition of the matter, he/she shall have the right to present the matter to and discuss it with the superintendent.

### V. Formal Procedures

#### **a. Level One - Principal**

If an aggrieved person is not satisfied with the disposition of the problem through informal procedures, the employee may submit a claim in writing to his/her principal. The principal shall, within five days, render his/her decision and the reasons therefore in writing to the complainant. The principal shall keep on file a statistical summary of the number and types of grievances processed, including the names and details of the grievances.

#### **b. Level Two - Superintendent**

If the aggrieved person is not satisfied with the disposition of the grievance by the principal, or if no decision has been rendered within five days after presentation of the grievance in writing, the person may file a formal written grievance with the superintendent and the superintendent shall meet with the aggrieved person and a representative if the aggrieved person desires representation, for the purpose of considering the grievance. The superintendent shall within ten days of such meeting, render a decision and the reasons therefore in writing to the complainant.

#### **c. Level Three - School Board**

If the aggrieved person is not satisfied with the disposition of the grievance by the superintendent or if no decision has been rendered within ten days after conference with the superintendent, the aggrieved person may file the grievance with the Timber Lake School Board (by filing with the Business Manager). The Timber Lake School District Board may appoint a committee and set a time and place for hearing. The committee shall consider the complaint and report to the Timber Lake School District Board at the next regular or special meeting. The aggrieved person, with a representative of his/her choice, if desired, may appear before the Board at such meeting. A decision of the board of such grievance shall be rendered in writing to the aggrieved person within ten days after such meeting.

#### **d. Level Four**

If the aggrieved person is not satisfied with the disposition of the grievance at Level three or, if no written decision has been rendered within the time period set forth in the preceding paragraph, he/she may, within ten (10) days after receipt of the written decision of the Board, or within ten (10) days of the day when the decision is due, whichever is earlier, appeal to the Department of Labor, pursuant to SDCL 3-18-15.2. The inclusion of this paragraph in this Grievance Procedure shall not constitute a waiver by either party of its rights to dispute and authority of the Department of Labor to hear the appeal and/or render any particular decision.

#### **e. Level Five**

All provisions as provided in SDCL 3-18-15.2

### VI. Miscellaneous

- a. Any party or parties in interest shall appear and may, upon two days' notice in writing to the other party, have counsel present at formal levels.
- b. Meetings and hearings under this procedure shall not be conducted in public and shall include such parties and only such parties in interest and their designated or selected representatives heretofore referred to in this Grievance Procedure. The vote on the Board's decision on Level III grievances shall be made in open session.
- c. When it is necessary for a party or parties in interest to attend a board meeting or a hearing called during the working day, the Director shall so notify the party or parties in interest, immediate supervisor, and the party or

parties in interest shall be released without loss of pay for such time as their attendance is required at such meeting or hearing.

Page 1

Request for Settlement of Grievance

LEVEL ONE

(To be completed by aggrieved person)

Date of Presentation to Principal: \_\_\_\_\_

Name of Aggrieved Person: \_\_\_\_\_

Home Address:

\_\_\_\_\_  
\_\_\_\_\_

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

Principal: \_\_\_\_\_

NATURE OF GRIEVANCE:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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SETTLEMENT REQUESTED:

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SIGNED: \_\_\_\_\_  
Aggrieved Person

Page 2

Reply to LEVEL ONE Grievance

Date Reply sent to Aggrieved Person:

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Name of Aggrieved Person:

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Home Address:

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School:

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Date of presentation of grievance of Principal:

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Reply of Principal with Rationale:

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

Page 3

Request for Settlement of Grievance

LEVEL TWO

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

Date of presentation to Superintendent:

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Name of Aggrieved Person:

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Home Address:

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School:

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Date of reply to LEVEL ONE Grievance:

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State reasons for submission of grievance to LEVEL TWO:

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Settlement requested:

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Signed: \_\_\_\_\_

Aggrieved Person

Reply to LEVEL TWO Grievance

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

Date Reply sent to Aggrieved Person: \_\_\_\_\_

Name of Aggrieved Person: \_\_\_\_\_

Home Address: \_\_\_\_\_

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

Date of submission of Grievance to Superintendent: \_\_\_\_\_

Decision of Superintendent with Rational:

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Signed: \_\_\_\_\_

Superintendent

Request for Settlement of Grievance

LEVEL THREE

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

Date of submission to Business Manager:

\_\_\_\_\_

Name of Aggrieved Person:

\_\_\_\_\_

Home Address:

\_\_\_\_\_

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

\_\_\_\_\_

Date of Rely of Superintendent to LEVEL TWO Grievance:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

State Reason for submission of Grievance to LEVEL THREE:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Settlement Requested:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signed: \_\_\_\_\_

Aggrieved Person



Page 6

Reply to LEVEL THREE Grievance

LEVEL THREE

Date Reply sent to Aggrieved Person:

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Name of Aggrieved Person:

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Home Address:

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School:

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Date of Submission of Grievance to Business Manager - LEVEL THREE:

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Date of Hearing with School Board:

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Decision of the School Board with Rationale:

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Signed: \_\_\_\_\_

President of the Board

Page 7

WITHDRAWAL OF GRIEVANCE

Date of Withdrawal:

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Name of Aggrieved Person:

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Home Address:

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School:

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Present Level of Grievance (check one)

-----LEVEL ONE

-----LEVEL TWO

-----LEVEL THREE

Date on which Grievance was submitted at this Level: \_\_\_\_\_

Brief description of nature of Grievance:

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Request for Withdrawal:

I hereby request that the above grievance be withdrawn from further consideration without prejudice or record. I acknowledge that I may not reopen this grievance.

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

**NEPN Code: HA**

**Textbooks and Supplies SDCL 13-34-16**

- a. It shall be the general policy of the school board to furnish textbooks, supplementary tests, and instructional materials necessary to implement the curriculum.
- b. Any student who produces an article for his/her personal use of ownership shall pay the cost of the material used.
- c. Damage to textbooks due to student carelessness, which tends to render the book useless or reduce its life expectancy, will warrant the student purchasing the book at cost.

**NEPN Code: HB**

**Selection of Textbooks and Curriculum Development**

- a. Committees of teachers will be appointed for the purpose of examining and recommending curriculum development, textbooks and supplementary texts in the several curricular areas. Recommendations by teachers and committees of teachers shall be submitted to the respective principal for review and recommendation to the superintendent of schools.
- b. Committees of teachers and principals will be used in developing and recommending curriculum to the superintendent and school board.

**NEPN Code: HC**

### **Adoption of Textbooks SDCL 13-8-39**

Textbooks and supplementary books may be adopted by the school board upon recommendation of the superintendent.

**NEPN Code: HD**

### **Instructional Supplies**

- a. On the date specified by the budget calendar, principals will submit to the superintendent their anticipated needs for instructional supplies and budgetary considerations for the ensuing school year.

**NEPN Code: HE**

### **Internet Safety Policy**

The Timber Lake School District will educate all student about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyber bullying awareness and response. The Superintendent is delegated authority to implement these educational requirements.

**NEPN Code: HF**

### **Fire Drills and Disaster Drills**

- a. A fire drill shall be held in each building at least twice a semester, and the report on such drills shall be filed by the custodian.

- b. Special instruction in fire drill procedure shall be given to students the first week of school and the first fire drill of the school year should be held during the first two weeks of school.
- c. Fire drills shall be held without warning and shall be varied in procedure to give the pupils the experience of different fire possibilities.
- d. Order rather than speed shall be stressed in fire drills. Definite instructions shall be furnished to teachers and pupils as to route and manner of exit during fire drills by the school principal.
- e. A tornado or disaster drill shall be held twice a year.

**NEPN Code: HG**

### **Private Teaching in Schools**

Public school buildings may not be used for private teaching for which tuition charge is made either by staff members employed by the school district or by any other outside agency, or persons without the express permission of the superintendent of schools.

**NEPN Code: HH**

### **Sectarian Instruction SDCL 13-33-9**

Sectarian instruction of any kind is prohibited in the school.

**NEPN Code: HI**

### **Programs for Handicapped Children**

In keeping with the philosophy that a public school system is responsible for the education of all children within the community, and to further provide programs and services designed to meet the individual needs of handicapped children.

Seeking out young children with handicapping conditions so that they may receive special instruction in early childhood is part of this responsibility. The purpose of identifying these and older children and their handicaps is not to categorize them as "handicapped," but to determine and provide the most appropriate education possible for each one.

The Board believes that most children with handicaps can be educated in the regular school program if they are given special instruction, accommodations, and support they need. These children should also be given opportunity to participate in the school's nonacademic and extracurricular activities.

However, the Board recognized that the needs of certain children are so great that special programs, special classes, or special schools may be necessary. When appropriate programs, services, or facilities are not possible within the district's schools, the district will provide these children with access to public schools where such instruction and accommodations are available.

It is the desire of the Board that the schools work closely with parents in designing and providing programs and services to children with handicaps. Parents must be informed, and conferred with, whenever a child is referred for 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 if possible to work with the handicapped children. Since the financial commitment necessary to meet the needs of all handicapped children is extensive, the Board will exert every effort to obtain financial assistance from all sources.

No qualified person with a disability may be excluded from, denied benefits of, or subjected to discrimination in any course, program or activity. A district may not restrict access for students with disabilities to schools, programs, services and activities because of architectural barriers, equipment barriers, the need for related aids and services, or the need for auxiliary aids. Section 504 and ADA Title II are based on the premise that students with disabilities will be integrated with their non-disabled peers as much as possible. (Section 504: 34 CFR 104.4(a), Title II: 28 CFR 35.130(a), Guidelines IV-N) Contact person is Julie Marshall, Timber Lake School, PO Box 1000, Timber Lake SD 57656, 605-865-3654.

#### **NEPN Code: HJ**

#### **Referring Procedure for Children in Need of Special or Prolonged Assistance**

##### **a. Instructional Staff**

When a teacher becomes aware that a student in his/her class is not achieving at a normal rate, and she/he feels the child needs assistance through special education or remedial work, teacher should notify parent or parents and should fill out a referral form and submit it to his/her principal. (Revised 07/00)

b. Parent

When a parent feels that their child is not achieving normally in school, the parent should approach the school teacher and discuss the problem. If the parent feels the child needs special assistance, they should fill out and submit a referral form to the principal. (Revised 07/00)

c. Principal

Upon receiving a referral form from a teacher or parent, the Education Team (Principal, Special Education instructor, classroom teacher and guidance counselor) shall evaluate the child's classroom work, work skills, classroom diagnostic test scores, SRA test scores and any other information deemed important. Upon completing this evaluation the Education Team will decide if the child will be recommended for special assistance. If the Education Team refuses to recommend the child, their decision may be appealed to the Superintendent of Schools. If the Education Team determines that the child needs assistance, a recommendation will be made to the superintendent along with evidence to support the recommendation.

d. Superintendent of Schools

Upon being notified by the Education Team that the teacher or parent is appealing their decision regarding special assistance or when notified by the Education Team that they are recommending the child receive special assistance, the superintendent shall review all available data, hold hearings with the teacher of the child and the child's parents before making a decision.

The Superintendent has three options:

1. Disapprove the request.
2. Approve diagnostic testing by the special education and/or remedial staff and/or speech and hearing testing by the speech therapist.
3. Approve the request.

In the event #1 above is chosen, the decision may be appealed to the Timber Lake Board of Education.

In the event #2 above is chosen, the superintendent will make arrangements for testing, and upon reviewing the results of the tests, will discuss the results with staff members involved. Upon information obtained from the tests results and staff discussions, the superintendent will approve or disapprove the request. If disapproved, the decision may be appealed to the Timber Lake School Districts Board of Education. If approved, the superintendent will make arrangements for psychological testing.

In the event #3 above is chosen, the superintendent will make arrangements for psychological testing.

e. Board of Education

If an appeal to the Board of Education is requested, the superintendent will notify the president of the board who will call a meeting to hear the appeal within seven (7) days. If the board refuses the request, an appeal may be brought to the Department of Education and Cultural Affairs, Pierre, SD. If the board approves the request, the superintendent will make arrangements for psychological testing.

Contact information is Office for Civil Rights, Kansas City Office, US Department of Education, 8930 Ward Parkway Suite 2037, Kansas City MO, 64114-3302, Telephone 816-268-0550, Fax 816-823-1404, TDD 877-521-2172, Email [OCR.KansasCity@ed.gov](mailto:OCR.KansasCity@ed.gov)

**STUDENT FUND-RAISING ACTIVITIES**

Money drives will not be encouraged unless there is justification for purpose and the need is adequate.

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 therefrom will be made available to all members of the class or group.

No project will be allowed that will involve the servitude of an individual.

There will be no solicitation of donations of any kind from students.

All food fundraisers can begin at 4:00pm and end at midnight.

A categorical, itemized accounting of money raised at school or in connection with the school other than money deposited in the extracurricular account which is the responsibility of the sponsor/faculty member, will be submitted by the sponsor/faculty member to the business manager, to be filed with the district financial records.

Adopted: 12-14-16

**FUNDRAISER APPROVAL FORM**

Please complete the following to inform all interested of proposed fundraiser.

Program Sponsoring the Fundraiser: \_\_\_\_\_



Name of Advisor(s): \_\_\_\_\_

Starting Date: \_\_\_\_\_

Completion Date: \_\_\_\_\_

What Is To Be Sold For The Fundraiser: \_\_\_\_\_

**No fundraisers will start until approval is granted by all listed below.**

_____ Advisor or Coach	Date: _____
_____ Principal or AD	Date: _____
_____ Superintendent	Date: _____
_____ Business Manager	Date: _____

Adopted:

**NEPN Code: IA**

### **GENERAL ATTENDANCE**

If students are to make the most of education opportunities afforded by attending school, regular attendance and punctuality are a prime importance. If students are to succeed in school work, they must give their full attention to regular attendance and punctuality. Regular attendance and success go hand in hand.

13-27-1. Responsibility of person controlling child-Ages of compulsory attendance-Entire School term-Waiver. Every person having under his/her control a child who is six years old by the first day of September and who has not exceeded the age of sixteen, shall cause the child to regularly and annually 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 sixteen years, unless excused as provided in this chapter. The South Dakota board of education shall promulgate rules pursuant to chapter 1-26 to establish the school term for kindergarten programs.

Any child under age six enrolled in any elementary school or kindergarten program is subject to the compulsory attendance statutes of this state. A waiver of the compulsory attendance requirement for children under the age of seven years of age shall be granted by the school district upon the request of the parents.

## **Student Absenteeism**

Students enrolled at the Timber Lake High School are expected to attend regularly in order to receive a proper education. It is important that they achieve a good attendance record. After each absence, students must return with a written excuse, signed by a parent or guardian, stating the reason why the absence occurred. The parent or guardian may call the principal instead of writing an excuse.

### **NEPN Code: IB**

#### **TIMBER LAKE SCHOOL ATTENDANCE POLICY** *Revised 7/00*

1. Students enrolled at the Timber Lake School are expected to attend regularly in order to receive a proper education. It is important that they achieve a good attendance record.

After each absence, students must return with a written excuse, signed by a parent or guardian, stating the reason why the absence occurred. The parent or guardian may call the principal instead of writing an excuse.

Students who accumulate unexcused absences in excess of 8 days in a semester will be required to attend Saturday school/detention for each day absent after the 8th day. The detention will take place at the school from 8:00 a.m. - 12:00 p.m. Students that are absent for one half a day after the allowable 8 will be required to attend Saturday school/detention from 8:00 a.m. - 10:00 a.m. Students who are hospitalized, sick, or disabled, may be granted an exception. The days hospitalized, sick, or disabled will not count toward the 8 days.

*(Added 8/04)* After absences have accumulated to 8 days, parents/guardians will be notified of the student's situation and reminded of the consequences of exceeding 8 days of absence. When absences exceed eight cumulative days, the administration will closely scrutinize the circumstances of the student and/or family situation to determine credibility of absences, and how the excuses or unexcused absence(s) may potentially affect the student's academic credit(s) or grade level.

Exceptions may be granted by the Administration but only in the most extreme situations.

2. Excused absence definition:
  - a. Reasons requiring a doctor's written statement.
  - b. Attendance at funerals.
  - c. College visits (2 days per year)
3. Parents will be notified by phone or mail when a student has been absent two consecutive school days. It is recommended that principals keep a log of these calls.

### **NEPN Code: IC**

**Dress Code for Students** (Approved 8/9/99) (Revised 7/07)

1. The daily dress of students shall be neat and appropriate. Each student is expected to exercise good judgment and cooperation in helping to present a positive image of Timber Lake School to the public. Items students will avoid, these items are unacceptable:
  - Suggestive descriptions, images or slogans on caps, T-shirts, jackets and other articles of clothing that advertise or suggest the use of alcohol, drugs, tobacco or sex.
  - Shirts which allow the midriff to be bare.
2. In addition:
  - Caps are not to be worn inside the school building during school hours.
  - Shirts must have sleeves (no cutoffs, tank tops, spaghetti straps, halter tops, etc.)
  - Shorts and skirts must be of appropriate length as determined by administration.
3. It will be the responsibility of the building principal to determine violations of the intent to this policy and to take necessary corrective action.

**NEPN Code: ID**

**HOMEWORK POLICY** (Revised 7/00)

It is expected that homework will increase as a student progresses through grades K-12. As concepts and depth of material increases, it is evident that more time in preparation must be involved if the student is to be well prepared for each subject area.

Sometime should be devoted each evening to homework, increasing as the child gets older and more mature. Wednesday night is requested as church night and homework maybe limited that evening.

Full utilization of the study periods throughout the school day should be the first consideration.

When extracurricular activities occupy some of the otherwise study periods, homework becomes a necessity. The homework load of students should never become so burdensome as to endanger the physical or mental health of the student to prevent his/her taking part in those activities that contribute to his/her social well-being.

Homework should always be constructive study material and not merely busy work.

**NEPN Code: IE**

### **Safety of Bus Students**

Information for parents of bus students:

In case of inclement weather (this decision will be up to the judgment of the bus driver after the driver consults with the school) it is the school's policy that students who walk home from their bus stop must be picked up by a parent or parent designee.

If no one is there to pick up the students, they will be returned to the school and their parents or parent's designee may pick them up at the Timber Lake School.

It is one of the bus driver's responsibilities to look out for the safety of the students.

Approved 9/10/2001

**NEPN Code: IF**

### **School Bus Behavior Problem Policy (Revised 07/00)**

1. Bus Driver will bring any and all students that are involved in a problem or cause a problem to the superintendent's office or the respective principal's office.
  - A. Within 36 hours the administration will notify the parents of the infraction or problem.
  - B. Notification may be by phone, or in writing.
2. The second time a student is a behavior problem the superintendent's office will notify the student's parent, parents, or guardian in writing to meet with the principal and superintendent within five (5) working days. In the event the parent, parents, or guardian do not contact the superintendent's office for a meeting date, the student will not be permitted to ride the bus until the meeting is held.

3. The third time a student has been found to be a problem or to have caused a problem, they will not be allowed to ride the bus for five (5) days. The superintendent's office will notify the student's parent, parents or guardian in writing of the problem. Their parent, parents, or guardian will have to meet with the principal and superintendent to discuss the problem before they will be allowed to ride the bus again.
4. The fourth time a student has been found to be a problem or to have caused a problem, they will not be allowed to ride the bus until the parents meet with the school board at its regular meeting to decide if the student or students will or should be allowed to ride the bus again. The school board will have the final decision if the student or students should be allowed to ride the bus.
5. It will be the parent's responsibility to transport their students to school when they are not allowed to ride the bus.

Final Adoption 1-11-93

**NEPN Code: IG**

### **Bus Policy for Student Activities**

Students riding the bus to school activities are expected to return to Timber Lake on the bus. Exceptions are as follows:

1. Students may be released from the bus to their parents; and/or legal guardian at the parents verbal and written request. The official in charge should keep this request for his or her own protection.
2. Students may be released from the bus (to another responsible party) if they have prior written and verbal permission from parents and prior approval by a school administrator. It is emphasized that the approval must be obtained prior to the trip. The administrator will have the sole responsibility and authority to decide if the purpose of the release is a necessity.

3. Sixth (6<sup>th</sup>) grade and younger students riding rooter (fan) buses must be accompanied by a parent or guardian. Other adults shall be allowed to ride rooter (fan) buses on a space available basis.

**NEPN Code: IH**

**Policy for Bus Students on Regular Route.**

Parents may feel that it may be necessary to have their student(s) dropped off at a neighbor, friends, or may want a neighbor or friend to pick their student(s) up at a different time or place than usual.

The following is necessary due to the many recommendations and requirements in regard to the liability involved for the bus drivers and the school.

1. Write a letter addressed to the supt. and bus driver stating what they would like to have us do and state that they are giving us permission to do. (Example - Bus breaks down, their road blocked, or parent did not get back home when they planned. State who they may be left with and who may pick them up).
2. Please state the period of time and situation(s) the letter is for. (Example - For the 2004-2005 school year, or Jan., Feb., March of 2005.) Also please sign the letter.

**NEPN Code: II**

**Dangerous Weapons in the Schools** Legal ref.: SDCL 13-32-7; 22-1-2 \*

Schools should be an example of what is required regarding the observance and respect for law in society at large. Schools also must be highly conscious of the health, safety and welfare of students, staff, and the public.

State and federal law as well as board policy forbids the bringing of dangerous and/or illegal weapons to school or school sponsored activities. Dangerous weapons taken from pupils shall be reported to the pupil's parents. Confiscation of weapons may be reported to the police. Appropriate disciplinary and /or legal action shall be pursued by the building principal.

A dangerous and/or deadly weapon is defined as any firearm, knife or device, instrument, material or substance, whether animate or inanimate, which is calculated or designed to inflict death or serious bodily harm.

No firearms are permitted on any school premises, school vehicle or any vehicle used for school purposes, in any school building or other building or premises used for school functions. An exception would be weapons under the control of law enforcement personnel, starting guns while in use at athletic events, firearms or air guns at fire ranges, gun shows, and supervised school training sessions for the use of firearms.

Any student bringing a firearm to school shall be expelled for not less than twelve months and will be referred to law enforcement authorities. The chief executive officer/superintendent shall have the authority to recommend to the school board that this expulsion requirement be modified on a case/by/case basis. This policy shall be implemented in a manner consistent with IDEA and Section 504. For the purpose of this portion 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. (Adoption date: 10-14-96)

**NEPN Code: IJ**

### **Dismissal of Pupils**

- a. Neither school nor classroom will be dismissed before the regular hour for dismissal except with the approval of the superintendent of schools.
- b. No teacher may permit any individual pupil to leave school prior to the regular hour of dismissal. Students must receive this permission from the principal or superintendent of schools.
- c. No pupil may be permitted to leave school prior to the dismissal hour at the request of or in the company of anyone other than a school employee, or parent of the child unless the permission of the parent has been first secured in writing. If any police or court official requests the dismissal of a pupil during school hours, he must have a warrant or written request by the child's parents before the student is dismissed.

**NEPN Code: IK**

### **Pupil Interview** (Adopted 11/9/98)

- a. Individual pupils may not be interviewed without parental notification by any person, except an employee of the school board, without the approval of an administrator.
- b. No administrator shall grant a student interview unless the parents are notified and he/she deems it essential to the welfare of the child or as may be required by court order or law.  
(b.) is subject to (a.) above.

- c. The principal or some other appropriate administrative employee shall be present.

**NEPN Code: IL**

**Police/Department of Social Services- Student Interview (Adopted & Approved 11-9-98)**

a. 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, 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 to deny the request from the law enforcement officer. 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.

The law in South Dakota 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 DSS or LEO to talk with a student in such instances.

\*Upon the student reaching the age of 18, the student is a legal adult and has the authority to make decisions without parental involvement. However, the student, even if age 18 or older, may choose to contact his/her parents for advice before responding to a request by the authorities to meet with and talk to a law enforcement officer and/or the Department of Social Services.

**NEPN Code: IM**



### **Extended Suspension by principal & superintendent, authorized by board. SDCL 13-32-4.2**

The Timber Lake School Board authorized the summary suspension of pupils by the school principals for not more than ten (10) school days and by the superintendent of schools for not more than 90 school days. (Adoption date: 11-8-93)

**NEPN Code: IN**

### **Discipline Punishment SDCL 13-32-2**

- a. Teachers have the authority and responsibility to maintain discipline in the classroom. When a student is having a problem the teacher may: conference with the student, conference with the parent, use classroom disciplinary procedures, or refer the situation directly to the principal.
- b. A staff member may use physical force against a pupil without advance notice to the principal when it is essential for self-defense, for the preservation of order or for protection of other persons or the property of the school district.

**NEPN Code: IO**

**Student Conduct (expulsion and suspension)** SDCL 13-32-5; 13-32-6; 13-32-7; 25-5-15  
(Revised and adopted 07/07)

Students in the district schools are expected to act in such fashion that their behavior will reflect favorably on the individual student and on the school; will show consideration for fellow students; and will create a harmonious atmosphere at school and related activities. To accomplish this, all students must recognize their individual responsibilities and obligations and discharge them in accordance with the school regulations.

Serious breaches of standards of behavior may result in suspensions or expulsions from school. Suspension and expulsion from school are to be used by the administration only. Several forms of suspension may be used, including in-school suspension and out of school suspension. The principal may suspend a student for up to ten (10) school days and the superintendent may suspend a student for up to ninety (90) days. The board may suspend or expel a student for any number of days up to twelve (12) months. If the suspension by the superintendent is for more than ten (10) days, the pupil or parent/guardian may appeal to the board. Hearing procedures will be in compliance with state and federal laws for both general education and special education. Every effort shall be made to work with students to solve special situations and disciplinary problems. Expulsion from school must be recommended by administration and approved by the school board. Legal reference: SDCL 13-32-4, 13-32-4.2, 13-32-5

Any of the following actions will subject a student to suspension, expulsion, or other school disciplinary measure:

1. Intentionally causing or attempting to cause substantial damage to school property; or stealing or attempting to steal school property.

2. Intentionally causing or attempting to cause substantial damage to private property; stealing or attempting to steal private property.
3. Intentionally causing or attempting to cause physical injury to another person except in self-defense.
4. Knowingly possessing or transmitting any firearm, knife, explosion, or other dangerous object.
5. Knowingly possessing, using, transmitting, or being under the influence of, any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, or intoxicant of any kind.
6. Knowingly using or copying the academic work of another and presenting it as his/her own without proper attribution.
7. Repeatedly and intentionally defying the valid authority of supervisors, teacher, or administrators, and /or causing interruption of the school program.
8. Use of profanity.

In addition to school disciplinary measures some of the above actions are subject to punishment through civil authorities.

The above prohibited actions will be printed in the student handbook, board policy book and made available to students and parents.

#### IN-SCHOOL SUSPENSION GUIDELINES

1. In-School suspension will be administered and supervised by the Principal
2. The suspension will begin at 7:50 AM and end 10 minutes following dismissal time.
3. Student will serve time in a designated room and will be monitored by camera.
4. The monitor will be located in the high school office.
5. Student will be escorted on breaks by a designated staff member.
6. Lunch will be brought to the student, or student may bring a lunch.
7. Student will be expected to study during this time.
8. Student is responsible for materials to study during suspension.
9. Credit will be given for work
10. In-school suspension will be administered as follows:
  - Three days for possession and/or use of tobacco
  - One day for profanity
  - Or as determined by the administration

#### PROCEDURES FOR SHORT TERM SUSPENSION ARSD 24:07:02:01

1. Give oral or written notice to student and to parents, guardian, or other responsible person, if available, as soon as possible after discovery of misconduct.
2. The notice is to contain the rule, regulation, or policy violated. The student must be given an opportunity to answer the charges
3. This process does not involve board participation.
4. The hearing is no more than an informal setting granting the student the opportunity to answer the charges and present his/her side of the story.
5. Superintendent/CEO or principal should issue a decision as soon as possible. This may be done right on the spot.
6. If the student is suspended, written notice of due process rights must be provided to the student and the parent, guardian, or responsible person. Dangerous students may be turned over to law enforcement.

Student must be accompanied by parent or guardian to gain readmission to school following the suspension if a meeting has not already taken place with the principal, parent or guardian, and student regarding the current situation. (During an out of school suspension, the student may not attend any school related activities on school grounds as a spectator, including practices, games or any other extra-curricular activity. In addition students that participate in any activities may not attend activities off school grounds with the school team. During an in school suspension, after the conclusion of the in school time suspension the student may attend school related activities.)

#### PROCEDURES FOR LONG TERM SUSPENSION

ARSD 24:07:03

1. The superintendent/CEO must prepare and seal a written report to the schoolboard not later than the end of the fifth school day following the first day of a long-term suspension. The superintendent/CEO may request that a hearing be held before the school board. The school board will conduct a hearing for any suspension extending more than ten days.

2. The superintendent's/CEO's report includes the facts of the situation, the action taken, the reasons for the action, and the superintendent's/CEO's decision or recommendation. The report remains in the possession of the school board secretary or business manager, sealed and unavailable to individual school board members until and unless a hearing is held. A copy of the report must be sent to the 18-year-old pupil and, to unemancipated minors, to the parent, guardian, or responsible person at the time it is filed with the secretary or business manager. ARSD 24:07:03:01

3. The superintendent/CEO may exclude the pupil from classes by using a short-term suspension procedure. An activity is considered as a class. The superintendent/CEO must give notice to the 18-year-old pupil or the unemancipated minor's parent, guardian, or responsible person of a proposed long-term suspension, and may schedule a hearing. The notice must contain:

- a. Policy allegedly violated;
- b. The reason for the discipline;
- c. Notice of the right to a hearing or the right to waive this hearing;
- d. A description of the hearing process;
- e. A statement that the records are available for examination; and
- f. Notice that the pupil may present witnesses.

4. If a hearing is requested, the superintendent/CEO shall set the date, time, and place for the hearing and send notice to the school board members, as well as a notice by certified mail to the 18-year-old pupil or the parents of an unemancipated minor.

5. If no hearing is requested or if the hearing is waived, the proposed action or decision of the superintendent/CEO is final.

6. A hearing may be waived by an 18-year-old pupil or the parents of an unemancipated minor, in writing. If the hearing is not waived, the hearing shall be held as set forth in the notice. ARSD 24:07:03:03

### **Excursions or Errands**

- a. Pupils taken on excursions or field trips in the interest of class activities must have the approval of the principal in advance, and the principal shall approve what transportation is involved in such excursion. The principal shall also satisfy themselves as to liability for insurance if private cars are used for transportation.
- b. Pupils may not perform errands off school grounds during school hours without the approval of the principal.

**NEPN Code: IQ**

### **Use of Pupil Records - Buckley Amendment**

The Timber Lake Public Schools construe all pupil records, except directory information, to be confidential. Appropriate procedures and safeguards shall be established and followed to govern access to pupil records and the release of pupil records and information to persons, agencies, and organizations within and outside the school system. Such procedure and safeguards shall be consistent with the pursuant to Section 438, Public Law 93-380 as amended.

**NEPN Code: IR**

### **List of Names of Pupils**

No employee of the school may furnish list of names and addresses of students to anyone other than school officials or school connected agencies without the express permission of the superintendent. The superintendent of schools may authorize the release of the list of names of the senior class if he/she considers it to be in the best interest of the students.

**NEPN Code: IS**

### **Confidentiality of Student Record**

In order to provide students with appropriate instruction and educational services, it is necessary for the district to maintain extensive and sometimes personal information on them and their families. It is essential that pertinent information in these records be readily available to appropriate school personnel, be accessible to the student's parents or legal guardian or the student in accordance with law, and yet be guarded as confidential information.

It will be the responsibility of the superintendent to provide for the proper administration of student records in keeping with state law and federal requirements, and to standardize procedures for the collection of necessary information about individual students throughout the district.

### **Timber Lake School District No. 20-3 Confidentiality Procedures**

1. All Students records will be maintained in either a fire resistant file or in the school safe. They will be kept locked.
2. To remove a file or record, permission must be obtained from the High School Principal or Elementary Principal who is the custodian of the files.
3. Everyone removing a file or record will sign his/her name to the checkout form and state the reason file or record is needed.
4. Student records or files will always be available to parents or legal guardians of the student, school administration, school psychologist, school special education teacher, speech therapist, classroom teachers, and any person so designated by the parent or legal guardian and the student, if appropriate.
5. A parent or legal guardian has the right to obtain copies of the record or file when this is necessary to adequately review the record.
6. After inspection of the records, a parent who believes the information contained in the record is inaccurate, misleading, or otherwise in violation of the privacy rights of the student, may request the school district to amend them.
7. If the school district refuses to amend the record, it will inform the parent of the right to have a hearing. This hearing will be conducted by a party that does not have a direct interest in the outcome and will allow the parent a full and fair opportunity to present evidence on the issue.
8. If, as a result the hearing, the district again decides that the record does not contain inappropriate material and refuses to amend it, the district will inform the parent of the right to place a statement in the record commenting on the disputed information and the reasons for disagreeing with the decision of the district. Such a statement will be maintained as a permanent part of the student's record and will be disclosed along with the rest of the record
9. If any records are to be released to comply with a judicial order or subpoena, the parents will be given advance notice of such an order.

**ALCOHOL USE BY STUDENTS/DRUG ABUSE BY STUDENTS/CHEMICAL ABUSE (NARCOTICS, DRUGS, ALCOHOLIC BEVERAGES) BOARD POLICY**

The Board recognizes its share of the responsibility for the health, welfare, and safety of the students who attend the districts' schools. Alcohol and drug dependency is an illness and a hazard that can interfere with a student's ability to learn and function responsibly in the school setting and community. Anything that can interfere with the development of an adolescent, therefore, must be evaluated as to its impact to both the young person and the community. Psychoactive and mood altering drugs can destroy the health and well-being of an individual. The school community defines drug use as a serious health problem and is committed to discouraging this behavior and to encouraging young people to seek help should a problem arise.

As educators, we recognize that chemical abuse (drugs and alcohol) has become a serious problem in our country. We accept our obligation to establish a positive environment in which these problems can be addressed locally in a helpful and supportive rather than a punitive way. One of our goals is to prevent abuse. Accomplishing this goal, we realize, will entail training teachers, counselors and other staff members to educate the community about drug abuse. Other goals are to teach staff to identify chemical abuse problems and to know what resources are available to address these problems if they are observed. The administration recognizes that the problems of chemical abuse exceed the boundaries of the school. Therefore, we are prepared to cooperate with agencies and community groups that address these problems.

The following document outlines policy on student abuse of psycho-active or mood altering chemicals in the schools district. This policy is in effect on property owned, leased or maintained by the school district, at all school sanctioned activities on and off campus, on vehicles used to transport students to and from school or at other activities and in vehicles parked on school property.

Student and parent members of the school community are expected to be aware of and understand these policies and comply with them. A copy of the policy will be provided to all students and parents.

A student shall not possess, use, transfer, conceal, sell, attempt to sell, deliver nor be under the influence of narcotics, drugs, or alcohol, materials/substance represented to be a drug or controlled substance, or chemical substances which affect psychological functions or affect the educational system of the school. Students shall not engage in drug use/abuse nor possess paraphernalia specific to the use of chemicals.

Students who use prescription drugs authorized by a licensed physician do not violate this policy if the students conform to the prescription and appropriate school policies.

**VIOLATIONS**

The following procedures will be used in dealing with possession, use, transmission or being under the influence of illicit drugs and alcohol.

**A. First Offense**

1. The administration will notify the parent(s)/guardians(s) to explain the incident and arrange a conference.
2. The administration may suspend the student for five (5) days in compliance with student due process procedures.
3. Within thirty-six (36) hours, the administration will notify the parent(s)/guardian(s) in writing of the suspension.
4. Notify available law enforcement authorities.

The school district strongly recommends that students with chemical abuse problems seek professional evaluation and treatment from a trained chemical dependency counselor or a licensed physician trained in chemical dependency.

Because we believe that chemical dependency is preceded by misuse, we feel confident that such early intervention can benefit the student before significant harm or dependency results.

The suspension of a student who agrees to be evaluated and treated will be commuted to three (3) days.

The administration will provide a list of agencies/professionals that can do the assessment and provide treatment. Fees for this assessment and treatment are the responsibility of the student and family.

Upon receipt of appropriate authorization, the agency or professional will notify the school administration that the student is willing to be evaluated and to comply with the treatment process.

B. Second and subsequent offenses.

1. The administration will contact the parent(s)/guardian(s) to arrange for a conference.
2. Notify available law enforcement authorities.
3. The administration will suspend for five (5) days in compliance with student due process procedures.
4. Within thirty-six (36) hours, the administration will notify the parent(s)/guardian(s) in writing of the suspension.
5. The administration will recommend to the School Board that the student be expelled unless the following procedure is followed:
  - a. The student must agree to be evaluated and treated by a trained chemical dependency counselor or a licensed physician trained in chemical dependency.
  - b. Upon appropriate authorization, the agency or professional notifies the administration that the student has accepted treatment. If the student is accepting treatment, the recommendation for expulsion may be commuted. Fees for this assessment and treatment are the responsibility of student and family.

C. Supplying/distribution or selling chemical (drugs/alcohol) or material represented to be a controlled substance.

1. Within thirty-six (36) hours, the administration will notify parent(s)/guardian(s) in writing of the suspension.
2. Supplying or selling chemicals will result in a five (5) day suspension.
3. The administration will refer the case to available law enforcement authorities.
4. A hearing on the case will be conducted by the School Board pursuant to due process rules for expulsion. Expulsion may be recommended by the Superintendent.

D. Pupils who visibly appear to be impaired from use of the illicit drugs/alcohol will be referred to the school nurse, if available, and the building administrator will be notified. The School nurse or building administrator will determine whether to contact the parent for further instruction, refer to the emergency authorization form or immediately seek additional medical treatment. Following the handling of the medical emergency, this Policy Statement for Chemical Abuse will be followed.

E. A biennial review of the School Districts program will be made:

1. To determine the program's effectiveness and implement changes to the programs if they are needed; and
2. To insure that disciplinary sanctions are consistently enforced.

Legal Reference: SDCL 13-32-4.3, 26-11-5.1, 22-42-19, Public Law 101-226  
Adopted: October 8, 1990

**NEPN Code: IU**

**Title IX (Revised 07/00)**

The Timber Lake School District intends to comply with Title IX which affords equal educational and activity opportunities for all students. The Title IX coordinator is appointed by the Board of Education to be responsible for coordinating and complying with Title IX. Any student who feels they have a complaint pertaining to Title IX will go through the Title IX coordinator's office. A copy of the Title IX regulations will be on file in the guidance counselor's office and the principal's office. The Title IX Coordinator is Julie Marshall, Timber Lake School, PO Box 1000, Timber Lake SD, 57656, 605-865-3654. Persons with questions may contact the Kansas City Office, Office for Civil Rights, US Department of Education, 8930 Ward Parkway, Suite 2037, Kansas City, MO 64114-3302, Telephone 816-268-0550 Fax 816-823-1404, TDD 877-521-2172, email [OCR.KansasCity@ed.gov](mailto:OCR.KansasCity@ed.gov).

**NEPN Code: IV**

**Payment of Student Meals**

- a. The school may pay \$4.00 for breakfast, \$5.00 for dinner, \$6.00 supper towards student's meals in the event that a academic field trip requires the students to be away longer than 12 hours.
- b. The school shall pay the amount to be reimbursed by the SDHSAA for activity trips. The SDHSAA only reimburses student meals for state events.

**NEPN Code: IW**

**Payment for Out of State Competition**

Students participating in out of state competition that has had prior approval by the Timber Lake Board of Education may receive assistance up to \$250.00 per student.



## NEPN Code: IX

### ACTIVITIES RULES

*Revised 8/1/15*

#### Disciplinary Sanctions and Implementation Procedures on All Extra-Curricular Events

During the season of practice, play or rehearsal, regardless of the quantity, a student shall not:

- 1) Use or possess a beverage containing alcohol
- 2) Use or possess tobacco or smokeless tobacco

Individuals who participate in all extra-curricular activities who violate one of the above will have the following sanctions upon them.

\*Extra-curricular events are defined as anything that is practiced after or before school hours only. (This also applies to 5<sup>th</sup> and 6<sup>th</sup> grade sports that are practiced during the school day.

\*Season of Practice – Beginning with first practice and ending upon dismissal of student following last competition.

#### A. First Offense – **(During the season of practice.)**

##### **Category I**

Penalty: After confirmation of the first violation: 1) Suspension from four events.

##### **Category II – Integrity Clause (Student, Parent or Guardian may apply)**

*Penalty: After confirmation of the first violation is made by the student, who broke policy, but informed school officials of this violation previous to the coach or the administration having knowledge of the infraction (within 24 hours of the violation), the student shall 1) Be suspended for two events.*

#### B. Second Offense – **(During the season of practice.)**

##### **Category I**

Penalty: After confirmation of the second violation: 1) Suspension from eight events.

##### **Category II – Integrity Clause (Student, Parent or Guardian may apply)**

*Penalty: After confirmation of the second violation is made by the student, who broke policy, but informed the school officials of this violation previous to the coach or administration having knowledge of the infraction (within 24 hours of the violation), the student shall 1) Be suspended for five events.*

#### C. Third Offense – **(During the season of practice.)**

##### **Category I**

Penalty: After confirmation of the third violation: 1) Suspension from all activities for one calendar year from the time of the **last** infraction.

*Integrity Clause will not apply to any offense after the second.*

#### D. Fourth Offense – **(During the season of practice)**

##### **Category I**

Penalty: After confirmation of the fourth violation: 1) Student will be permanently suspended from participating in all activities at TLHS

3) In-Possession, Use, or distribution of a controlled substance or marijuana will be handled in accordance to South Dakota Codified Law 13-32-9. (One calendar year suspension – reduced to 30 school days if assessment with a certified chemical dependency counselor or completes an accredited intensive prevention or treatment program.) There is no integrity clause of a controlled substance or marijuana.

A second violation will result in a mandatory 12 month suspension.

A third violation will result in the student being permanently suspended from participating in all activities at Timber Lake School. (Adopted 10/11/11)

\*Events will carry over into next season or next year necessary to complete term of suspension.

\*Infractions will accumulate grades 5 through 8 and start over grades 9 through 12 during the season of practice and throughout the student's school career at Timber Lake and/or previous school(s). For example: Timmy gets caught drinking as a 7<sup>th</sup> grader and then again as a junior in high school – Timmy will fall into the first offense for both violations. Timmy then gets caught chewing tobacco again as a senior, he will fall into the second offense. Example #2 – Bobby transfers to Timber Lake from Dupree, he received a drinking violation as a sophomore at Dupree and then gets caught drinking his junior year at Timber Lake ---He will fall into the second offense.

Equal opportunity: the Timber Lake School District does not discriminate in its policies and programs on the basis of race, color, creed, religion, age, sex, handicap, national origin or ancestry.

Inquiries concerning the application of Title IX, Section 504 or Title VI may be referred to the High school counselor, Julie Marshall, Box 1000, Timber Lake, SD 605-865-3654, or to the regional director, Department of Education, Office for Civil Rights, 1244 Speer Blvd. Suite 310, Denver, Colorado 80202-3582.

## **NEPN Code: IY**

### **Home-School Student Participation in Extracurricular Activities (Adopted 1/9/12)**

It is the policy of the Timber Lake School District to allow home-school students to participate in school sponsored extracurricular activities if they meet the minimum academic criteria.

- Home-school student is enrolled in a minimum of two classes in the Timber Lake School and completes a weekly academic portfolio documenting adequate weekly progress in two courses. The portfolio is turned into the Principal's Office on Monday's or the first day of the school week. The Principal may ask questions and interview the child about the week's progress. These two items will be used to determine academic eligibility.
- Home-school student's not enrolled in any classes must complete a weekly academic portfolio documenting adequate weekly progress in four courses. The Principal may ask questions and interview the child about the week's progress. The portfolio is turned into the Principal's Office on Monday's or the first day of the school week. This portfolio will be used to determine academic eligibility.

Along with the above stated academic rules, home-school students participating in extracurricular activities are subject to all team, district and SDHSAA rules, regulations, and policies.

## **NEPN Code: IZ**

### **STUDENT COMMUNICABLE DISEASE POLICY**

The quality and quantity of learning for each student is in direct proportion to the student's physical, mental, emotional, and social levels of health. The board recognizes its responsibility to provide a healthy, safe environment for all school students and employees, and in addition, further recognizes its responsibility that, to the extent possible, all students should be permitted to continuously attend school and to participate in school activities.

The Board of Education further recognizes the importance of protecting the privacy rights of students who have a communicable disease. Therefore, the confidentiality of the infected student will be protected in the following manner; health information related to the disease will be released only when the student's parent or guardian or the student, if of legal age, has given written permission, or if it is ordered to be released by the court. The information will be released only to those persons determined by the Superintendent to have a direct need to know.

The decision as to whether an infected student should be excluded from school or school activities shall be made on a case by case basis by the building principal.

In situations where the decision requires additional knowledge or expertise, the principal will refer the case to the Superintendent to determine the proper course of action. The superintendent will be responsible for convening the advisory committee with a membership which will include the following:

1. The superintendent
2. The school health coordinator (nurse)
3. The building principal

The advisory committee, when appropriate, may also consult the following:

1. Representation from the State Department of Health
2. The student's personal physician
3. The student's parent or guardian(s)
4. Teachers or other appropriate school personnel
5. Other medical personnel as deemed necessary

The advisory committee shall consider the following in their deliberations:

1. The type and severity of the communicable disease
2. The guideline recommendations
3. The potential risk to the infected student and other students and staff members
4. The expected type(s) of interaction with others in the school setting
5. The physical condition of the student

When determining appropriate action in regard to a student with AIDS, the Advisory Committee will seek assistance from the S.D Secretary of Health.

If an infected student is restricted from attending classes, the school will provide the student with as appropriate an educational program as possible. If such program requires personal contact between the student and school employees, only trained volunteer employees will be utilized.

If an infected student remains in school, staff members assigned to work with the student will be given instructions by the School Health Coordinator in the appropriate handling of blood and body fluids. The Health Coordinator will provide information regarding recommended hygiene measures to be observed and practiced when dealing with any communicable disease in order to maintain a healthy environment.

Guideline to be used in the administration of the policy have been written, and are to be used as a guide by the building principal and the advisory council in making decisions regarding school attendance or exclusion. Specific needs of individual cases will be addressed on a case by case basis.

Reference: S.D. Department of Health Memorandum, March 20, 1986.  
Reviewed 7/00

### **STUDENT COMMUNICABLE DISEASE GUIDELINES**

<b><u>DISEASE</u></b>	<b><u>EXCLUSION RULES</u></b>
AIDS	Determination will be made by the Advisory Committee as outlined in the Communicable Disease Policy.
CHICKEN POX	The student may attend school after all pox are dry and scabbed.
CYTOMEGALOVIRUS	The student may attend school. Precautions should be taken by contacts
CMV (Salivary Gland Viruses)	with immuno-suppression as anti-cancer or organ/transplant/as well as anyone with suspected or known pregnancy. Good hand washing eliminate risk or transfer of infection.
FIFTH DISEASE	The student may attend school with physician's permission.
GIARDIASIS (Intestinal PROTOZOAN INFECTION)	the student may attend school. Good hand washing in all cases should eliminate risk of transfer of infection.
HERPES SIMPLEX	The student may attend school during an active case. Good hand washing in all cases should eliminate risk of transfer of infection.
IMPETIGO	The student may attend school if treatment is verified and covered or dry.
INFECTIOUS HEPATITIS	The student may attend school with physician's written permission and if the student has the ability to take appropriate personal hygiene precautions.
MONO (INFECTIOUS MONONUCLEOSIS, GLANDULAR FEVER)	the student may attend school with physician's permission.  The student may need adjusted school days and activities.
PEDICULOSIS (LICE,"CRABS")	The student may attend school after treatment. After repeated infestation of the same student, the student may be excluded until all nits are removed.
PINK EYE (CONJUNCTIVITIS)	The student may attend school after the eye is no longer inflamed or under medical management.
RING WORM (SCALP, BODY, ATHLETE'S FOOT)	The student may attend school if the area is under treatment and covered. Restrict known cases of athlete's foot from pools and showers until under treatment.
SCABIES (SEVEN YEAR ITCH OR MITES)	the student may attend school after treatment.
STREPTOCOCCAL	

INFECTIONS  
(SCARLET FEVER,  
SCARLATINA  
STREP THROAT).

The student may attend school 24 hours after initiating oral antibiotic  
, therapy, and is clinically well.

TUBERCULOSIS  
permission.

The student may attend school upon presentation of a physician's written  
permission.

ALL COMMUNICABLE AND CHRONIC DISEASE MUST BE REPORTED TO THE HEALTH OFFICE.  
ANY QUESTIONS PERTAINING TO INTERPRETATION OF THESE GUIDELINES SHOULD BE REFERRED  
TO SCHOOL HEALTH PERSONNEL. Reviewed 7/00

### **NEPN Code: IAA**

### **VIRTUAL HIGH SCHOOL/DISTANCE CLASSES**

In 2006, the South Dakota Legislature created the South Dakota Virtual High School. The South Dakota Virtual High School is a clearinghouse of distance/online courses offered by approved providers. All course offerings are approved by the South Dakota Department of Education to ensure that they are aligned with South Dakota content standards. The Timber Lake School recognizes the need and desire for students to enroll in classes outside of the local school district.

### **Student Application for Virtual High School Courses**

Students applying for permission to take a distance/online course will do the following:

- Meet with the school counselor to assess the student's maturity and ability to function effectively in an online learning environment.
- Complete prerequisite courses.
- Obtain written approval of the principal before the counselor enrolls the student in a virtual course.
- Obtain written permission of parent/guardian for student to pursue distance/online coursework.
- Adhere to the District Acceptable Use Policy and the TLS Student Handbook, including rules on behavior and consequences for violations.

### **Credit for Distance/Online Coursework**

Credit from an online course or distance course may be earned in the following circumstances:

- The course is not offered by TLS.
- The high school does offer the course, but the student is unable to take it due to unavoidable scheduling conflict.
- The student needs to complete the course for credit recovery.

### **Awarding Credit for Distance/Online Coursework**

The school must receive an official record of the final grade before awarding credit toward graduation. Only approved courses shall be recorded on student transcripts.

### **Costs**

- Students will not be charged for any District approved distance/online course that is part of the student's full credit load for the semester.
- If the student is taking the course for credit recovery reasons, the student will assume full responsibility for the cost. However, if the student successfully completes the course with a "C" grade or above, the student will receive reimbursement for the course.
- The District will provide textbooks for approved online/distance courses, but they remain the property of the District at the end of the course.

### **Online/Distance Learning Agreement**

I, \_\_\_\_\_, have read and understand the Timber Lake School Policies for Virtual High School/Distance classes, I understand that online/distance learning requires a great deal of personal responsibility and motivation, as well as excellent time management skills. I have discussed the demands of online/distance learning with my teachers, parents, and the counselor and I understand that these courses often require work outside of a normal class period (i.e. homework).

Students are responsible for their coursework, as well as initiating contact with their teacher and/or mentor, if necessary. The student code of conduct, grading scales, grading deadlines, course content, etc. are all available online. Students are expected to work independently, yet to ask for help when needed. Do not wait for your online instructor to contact the school. I understand that Timber Lake School will provide me with an on-site mentor to assist me with technical issues, proctored tests/quizzes, and monitoring my progress. However, I know that my online/distance instructor is my first point of contact for questions/problems with coursework, and it is my responsibility to stay in close contact with my online/distance instructor and to monitor my own progress.

Timber Lake School may provide textbooks and other materials required for this course. Any materials provided by the school must be returned to the school upon completion of the course. The student/parent is responsible for any damaged and/or missing materials checked out and agrees to pay the replacement cost of such items, if necessary.

I understand that my online distance course(s) are checked for eligibility purposes, and any failing grades in these courses will make me ineligible for activities, as per school policy. The on-site mentor will be responsible for doing grade checks, providing periodic progress reports, and recording final grades to the student's report card and transcript.

This course is \_\_\_\_\_ is a \_\_\_\_\_-semester course, counted as \_\_\_\_\_ credit at Timber Lake School as a (n) \_\_\_\_\_ credit. Final grades will be recorded on the student grade report and transcript.

The start date \_\_\_\_\_; midterm deadline is \_\_\_\_\_, with grades posted on \_\_\_\_\_, and a final end date of \_\_\_\_\_.

#### **Payment: (District Personnel please check one below/Parent & Student please initial)**

- o \_\_\_\_/\_\_\_\_ The district agrees to pay the cost of the course because it is part of the student's normal schedule and is not due to credit recovery.
- o \_\_\_\_/\_\_\_\_ The student/parent agrees to pay the cost of this course, as it is due to credit recovery. The district agrees to reimburse the student/parent if the student successfully completes the course with a "C" grade or above.

#### **District Approval:**

I, \_\_\_\_\_, give approval for \_\_\_\_\_ to take the online/distance course as indicated above.

District Personnel Signature \_\_\_\_\_ Date \_\_\_\_\_

I understand my responsibility as an online/distance learning student/parent. I have asked and received answers to questions, and thereby, agree to the terms of this opportunity.

Student Signature \_\_\_\_\_ Date \_\_\_\_\_

Parent/Guardian Signature \_\_\_\_\_ Date \_\_\_\_\_

**NEPN Code: IAB**

**Youth Experiencing Homelessness**

**ENROLLMENT, TRANSPORTATION, SCHOOL OF ORIGIN, AND THE ELIMINATION OF BARRIERS FOR CHILDREN OR YOUTH EXPERIENCING HOMELESSNESS INCLUDING UNACCOMPANIED YOUTH**

(Added 8/8/2011)

The Timber Lake School District Policy is to:

- Ensure the immediate enrollment of children or youth experiencing homelessness until all enrollment records may be secured, i.e. academic records, medical records, proof of residency, or other documentation.
- Keep a child or youth experiencing homelessness in the school of origin, except when doing so is contrary to the wishes of the child's or youth's parent or guardian.
- Ensure the elimination of stigmatization or segregated services and the elimination of other identified barriers for homeless children and youth.
  - Provide children or youth experiencing homelessness with services comparable to services offered to other students in the school including the following:
    - o Transportation Services
    - o Educational Services for which the child or youth meets the eligibility criteria, such as services provided under Title 1 of the elementary and Secondary Education Act of 1965 or similar State or local programs, educational programs for children with disabilities, and educational programs for students with limited English proficiency.
    - o Programs in vocational and technical education.
    - o Programs for gifted and talented students.
    - o School nutrition programs.

**NEPN Code: IAC**

**GANGS AND GANG RELATED ACTIVITIES, CODE (Adopted 11/09)**

Timber Lake School District has a responsibility to maintain a school environment free of violence, intimidation, or other behaviors which threaten the safety and well-being of students and staff. Anti-social and/or criminal activities of gangs or gang-like groups threaten the school environment and interfere with the educational process. Anti-social and/or gang activities will not be tolerated and the District hereby bars all gangs, gang affiliations and gang related activities from school buildings, school buses, school related activities and school property at all times.

A “gang” is defined as any identifiable group or club which exists without the sponsorship or authorization of the school and which engages in anti-social or criminal behavior or activity which is disruptive of the school environment.

Activities of gangs/associations/organizations including recruitment, initiations, hazing, intimidation, retaliation and/or related activities which could potentially cause bodily danger, physical harm, or personal degradation or disgrace and result in physical or mental harm to students are prohibited as are all forms of criminal activity. The use of language, hand signals, graffiti, tattoos, haircuts, or the presence of any wearing apparel, footwear, jewelry, accessory, or manner of grooming which, by virtue of color, arrangement, trademark, symbol or any other attribute indicates or implies membership or affiliation with such a group is hereby prohibited.

School administrators will monitor the school environment and parents will be informed of suspected gang involvement and/or activities. If an administrator verifies a student’s involvement in gang activity, the parent or guardian will be informed and appropriate law enforcement and social service agencies will be notified. Administrators shall comply with confidentiality laws when releasing student record information. Cooperation with law enforcement agencies is authorized and encouraged.

Students violating this policy may be subject to appropriate disciplinary action, including suspension and/or recommendation for expulsion review.

**NEPN Code: IAD**

### **SEMESTER TESTING *Approved 08/02 - Revised 2013***

Timber Lake School requires the administering of semester tests/projects to all students in grades 9-12 for each course they are currently enrolled in. Semester tests/projects will equal 15% of the semester grade. A semester testing schedule of two days will be set by the principal.

### **Student Attendance/Semester Test Exemption Policy Revised 2013**

Students may be exempt from a 2<sup>nd</sup> semester test if the following criteria are met:

1. Students miss 3 or fewer class periods. 2 tardys equal one absence.
2. Only for year-long classes and classes offered once per year.
3. Semester projects are not exempt.
4. Students without a semester test may have open campus for the hour of review and test with parent permission and signing out in the High School Office.

**NEPN Code: IAE**

### **Epinephrine Auto-Injectors**



The Timber Lake School District may acquire and maintain a stock of epinephrine auto-injectors pursuant to a prescription issued by an authorized health care provider for use in an emergency situation of severe allergic reaction causing anaphylaxis.

All epinephrine auto-injectors will be stored in a medicine cabinet and managed by school personnel trained in the administration of epinephrine auto-injector.

School Personnel may:

1. Administer an epinephrine auto-injector to a student in accordance with a prescription for the child.
  2. Administer an epinephrine auto-injector to any student during school hours or a school activity that school personnel believes is experiencing anaphylaxis, regardless of whether a student has a prescription for an epinephrine auto-injector or has been diagnosed with an allergy.
  3. Prior to administering an epinephrine auto-injector made available by the school, school personnel shall be trained by a licensed health care professional:
    - A. To recognize the symptoms of a severe allergy or anaphylactic reaction;
    - B. To know the procedure for the administration of an epinephrine auto-injector;
    - C. To know the procedure for storage of an epinephrine auto-injector; and
    - D. To know the emergency care and after care for a student who has an allergic or anaphylactic reaction. Which includes contacting emergency responders via 911 so the individual is transported to a medical facility.
- Pursuant to state law, no administrator, school personnel, District or School Board, that makes available or possesses epinephrine auto-injectors may be held liable for any injury or related damage that results from the administration of, self-administration of, or administer an epinephrine auto-injector that may constitute ordinary negligence, however, this immunity does not apply to an act or omission constituting gross, willful or wanton negligence.

The Timber Lake School District, through means deemed appropriate by the Superintendent, shall notify parents / guardians of each student about the policy. Proposed: 7/14/14

### **NEPN Code: IAF**

Students will not be permitted to take medication while at school unless the administration of such medicine is coordinated by the school district nurse acting under specific written request of the parent or guardian for prescription and non- prescription medications.

When such a request is made by a parent or guardian, a full release from the responsibilities pertaining to the administration and consequences of such medications must also be presented to the principal by the student's parent or guardian.

Parent/guardian requests to store and/or administer prescription or nonprescription medications to students must be in writing, on a Consent for Medication Administration District Form. The Consent for Medication Administration must be completely filled out, signed and dated by the parent/guardian. The Consent for Medication Administration must be renewed annually. Any product that could be considered a drug, including "natural remedies", herbs, vitamins, dietary supplements or homeopathic medications will be managed as a prescription medication.

When medication is brought to school for a student, the student's teacher, building principal, nurse or secretary will be made aware that the student will be taking medication. If a child has medication at school without prior notification the parent/guardian will be contacted. Medications should be transported to and from school by a parent/guardian.

All medications must be stored in a locked medicine cabinet, managed by the school nurse or school personnel trained in medication administration, with the exception of life saving asthma and anaphylaxis medications. Prescription medications to be stored and/or administered must be in a pharmacy labeled container, and must specify the student's name, name of physician/licensed health care provider, the date of the prescription and the directions for use. If the dosage or frequency of the medication is changed by the physician/licensed health care provider, a new

bottle must be received from the parent and a new Consent for Medication completed. Non-prescription medications to be stored and/or administered should be in the original container and must specify the student's name.

Lifesaving asthma and anaphylaxis medications may be self-carried and/or self-administered by the student if Student Self-Administration Medication Permission Form is completely filled out, signed and dated by both parent and physician.

It is the responsibility of the student to come to the office to take his/her medication. Any student who uses the medication in a manner other than the manner prescribed may be subject to disciplinary action.

All medication administration may be delegated only to those individuals who have successfully completed the training program as required by law. No school employee, other than the school nurse, shall be required to be trained by a licensed health care profession for the purpose of being trained in the administration of prescription medication, or shall be required to administer prescription medication, without the employee's prior written consent.

Adopted: 2-15-17

**NEPN Code: IAF-E (1)**

**ADMINISTRATION OF MEDICATIONS TO STUDENTS CONSENT FORM**

1. I am the parent/guardian of \_\_\_\_\_ and I authorize my child/ward, date of birth \_\_\_\_\_ grade \_\_\_\_\_, to be administered the prescription/ nonprescription medication identified below while on school property or at a school-related event or activity by an employee trained in the administration of medication.

2. I hereby release the District and its employees and agents from liability for injury arising from the school's administration of the medication while on school property or at a school-related event.

3. I understand that the District and its employees are not responsible for medication administration after school hours and/or off school grounds (ex. Bus, away games).

4. 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.

5. I authorize the school to inform appropriate school employees who would have a need to know of the administration of medication (i.e., such as school nurse, instructors, teacher aides, school administrators, activity supervisors, bus drivers).

6. I acknowledge and agree that the school shall secure (store) the medication for the student until administration of the medication is necessary, and that the medication shall not be stored in the student's locker, with the exception of live saving asthma or anaphylaxis medications.

YES / NO (circle one) Timber Lake School District 20-3 can supply my child Tylenol, Ibuprofen, antacids, and antihistamine. I understand, the school WILL still call informing me if these medications are given to my child.

YES / NO (circle one) Timber Lake School District 20-3 can supply my child cough drops, antibiotic ointment, and anti-itch cream. I understand, the school WILL NOT call informing me if these medications are given to my child.

YES / NO (circle one) Timber Lake School District 20-3 can supply my child with head lice treatment if necessary.

\_\_\_\_\_  
Signature of Parent/Guardian

\_\_\_\_\_  
Date

Please list other medications (supplied by parent/guardian) on the back of this form.

Medication:

\_\_\_\_\_

Dose: \_\_\_\_\_

Route (ex. Oral, inhaled, injected): \_\_\_\_\_

Time (if not given on a scheduled basis, write "as needed"):

\_\_\_\_\_

Authorization Start Date: \_\_\_\_\_

Authorization End Date: \_\_\_\_\_

Medication:

\_\_\_\_\_

Dose: \_\_\_\_\_

Route (ex. Oral, inhaled, injected): \_\_\_\_\_

Time (if not given on a scheduled basis, write "as needed"):

\_\_\_\_\_

Authorization Start Date: \_\_\_\_\_

Authorization End Date: \_\_\_\_\_

Medication:

\_\_\_\_\_

Dose: \_\_\_\_\_

Route (ex. Oral, inhaled, injected): \_\_\_\_\_

Time (if not given on a scheduled basis, write "as needed"):

\_\_\_\_\_

Authorization Start Date: \_\_\_\_\_

Authorization End Date: \_\_\_\_\_

\_\_\_\_\_

Adopted: 2-15-17

Revised: 6/13/18

**NEPN Code: IAF-E (2)**

## Asthma and Anaphylaxis Medication Permission Form for Student Self-Administration

### **Student Information** (to be completed by the parent/guardian):

Student's Name \_\_\_\_\_ Date of Birth \_\_\_\_\_

Grade \_\_\_\_\_

School \_\_\_\_\_

Parent/Guardian's Name \_\_\_\_\_

*I am the legal guardian of the above student and authorize my child to self-carry and/or administer his/her prescription medication for asthma and/or anaphylaxis while on school property or at a school-related event or activity.*

*I release 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.*

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

### **Medical Information** (to be completed by the medical provider):

Medication	Dose	When to use	Purpose

*I am the medical provider for the above student and feel that he/she is capable of self-carrying and self-administering the above prescription medication and the student knows when and how to use the medication(s). I confirm that he/she has been diagnosed with*  
\_\_\_\_\_ *Asthma and/or* \_\_\_\_\_ *Anaphylaxis.*

Medical Provider's Signature \_\_\_\_\_ Date \_\_\_\_\_

Date Authorization is Valid \_\_\_\_\_ to \_\_\_\_\_

Adopted: 2-15-17

Revised: 6/13/18

**Timber Lake School District 20-3**

**NEPN Code: IAG**

### **I. Policy Rationale and Philosophy:**

Reasonable efforts should be made to prevent the use of restraint and the use of seclusion. A non-aversive effective behavioral system such as Positive Behavioral Intervention and Supports (PBIS) should be used to create a learning environment that promotes the use of evidence-based behavioral interventions, thus enhancing academic and social behavioral outcomes for all students.

The District believes that the school environment should be one in which the care, safety, and welfare of all students and staff members are priorities. Efforts to promote positive interactions and solutions to potential conflict should be extensive. In the event that an individual's behavior presents a threat of imminent harm to self or others the use of approved physical intervention or seclusion strategies to maintain a safe environment may be used as a last resort.

## **II. Definitions:**

- a. **Positive Behavior Interventions and Support:**
  - i. A school-wide systematic approach to embed evidence-based practices and data driven decision making to improve school climate and culture in order to achieve improved academic and social outcomes, and increase learning for all students, and
  - ii. Encompasses a wide range of systemic and individualized positive strategies to reinforce desired behaviors, diminish reoccurrences of challenging behaviors and teach appropriate behavior to students.
- b. **Physical Restraint:**
  - i. The use of physical contact that immobilizes or reduces the ability of a student to move their arms, legs, body, or head freely. Such term does not include a physical escort, mechanical restraint, or chemical restraint.
  - ii. Physical restraint does not include brief, but necessary physical contact for the following or similar purposes:
    - 1. To break up a fight;
    - 2. To knock a weapon away from a student's possession;
    - 3. To calm or comfort;
    - 4. To assist a student in completing a task/response if the student does not resist the contact;
    - 5. To prevent an impulsive behavior that threatens the student's immediate safety (i.e. running in front of a car).
- c. **Seclusion:**

The involuntary isolation of a student in a room, enclosure or space from which the student is prevented from leaving by physical restraint or by a closed door or other physical barrier. It does not include a timeout.
- d. **Time Out:**

A behavioral intervention in which a student, for a limited and specified time, is separated from the class within the classroom or in a non-locked setting for the purpose of self-regulating and controlling his or her own behavior. In a timeout, the student is not physically restrained or prevented from leaving the area by physical barriers.

## **III. Requirements for the use of Physical Restraint:**

Physical restraint may be used only when there is an immediate risk of physical harm to the student or others and no other safe and effective intervention is possible. If physical restraint is applied the staff member must:

- a. implement in a manner that is age and developmentally appropriate;
- b. ensure safety of other students and protect the dignity and respect of the student involved. Combine use with other approaches (non-physical interventions are always preferred) that will diminish the need for physical intervention in the future;
- c. use the least amount of force necessary, for the least amount of time necessary;
- d. be appropriately-trained;
- e. continually observe the student in restraint for indications of physical or mental distress;
- f. contact appropriate emergency entities according to district crisis policy if at any point the staff assesses that the intervention is insufficient to maintain safety of all involved;
- g. remove the student from physical restraint immediately when the immediate risk of physical harm to self or others has dissipated; following the use of physical restraint, the individual should be assessed for injury or psychological distress and monitored as needed following the incident.

## **IV. Prohibited Practices for Use of Restraints:**

Staff members are not to use any physical restraints for which they have not been trained by the district.

Staff members are not to use any unauthorized physical restraints. This includes but is not limited to:

- a. Prone restraint, which is physical pressure applied to any part of the student's body to keep the student in a face down position on the floor or other surface, except when the use is necessary and reasonable in manner and moderate in degree;
- b. Any form of physical restraint that involves the intentional, knowing, or reckless use of any technique that involves the use of pinning down a student by placing knees to the torso, head, and or neck of the student;
- c. Using any method that is capable of causing loss of consciousness or harm to the neck or restricting respiration in any way;
- d. Uses pressure point, pain compliance, or joint manipulation techniques;
- e. Corporal punishment;
- f. Dragging or lifting of the student by the hair or ear or by any type of mechanical restraint;
- g. Deprivation of basic needs;
- h. Chemical restraint;
- i. Mechanical restraint (that does not include devices used by trained school personnel, or by a student, for the specific and approved therapeutic or safety purposes for which such devices were designed and, if applicable, prescribed);
- j. Using other students or untrained staff to assist with the hold or restraint;
- k. Securing a student to another student or fixed object;
- l. Aversive behavioral interventions; or
- m. Seclusion in a locked room or area.

**V. Requirement for Use of Seclusion:**

Given a threat of immediate risk of physical harm to the student or others, the following principles must always be applied:

- a. A room or area used for seclusion must:
  - i. provide for adequate space, lighting, ventilation, clear visibility and the safety of the student; and
  - ii. not be locked.
- b. Staff must:
  - i. implement in a manner that is age and developmentally appropriate;
  - ii. ensure safety of other students and protect the dignity and respect of the student involved;
  - iii. the least amount of time necessary;
  - iv. be appropriately-trained;
- c. staff must continually observe the student for the duration of the seclusion;
- d. if at any point the staff assesses that the intervention is insufficient to maintain safety of all involved, emergency personnel will be contacted;
- e. seclusion ceases when the immediate risk of physical harm to self or others has dissipated;
- f. upon each use of seclusion, the student shall be assessed for injury or psychological distress and monitored as needed following the incident.

**VI. Prohibited for Use of Seclusion:**

- a. Use of seclusion in any environment that does not meet the above criteria.
- b. Deprivation of basic needs;
- c. Seclusion shall not be used;
  - i. As a form of discipline/punishment
  - ii. As a means to coerce, retaliate or in a manner that endangers a student;
  - iii. For the convenience of staff;
  - iv. As a substitute for an educational program;
  - v. As a substitute for less restrictive alternatives;
  - vi. As a substitute for inadequate staff; and/or
  - vii. As a substitute for positive behavior supports or other crisis prevention.

**VII. Reporting and De-Briefing Requirements after the use of Physical Restraint or Seclusion:**

- a. The staff member(s) using physical restraint or seclusion shall complete all district required reports

and document staff's observations of the student.

- i. As soon as possible under the circumstances the staff member(s) using physical restraint or seclusion shall inform the appropriate school administrator of the use of physical restraint or seclusion.
- ii. The District's Incident Report shall be completed upon occurrences of physical restraint or seclusion.
- iii. Completion of the form and submission of the Incident Report to the appropriate administrator must be done the same day the staff member(s) used physical restraint or seclusion.
- iv. An administrator shall attempt to contact the parent/guardian during the same day of incident.
- v. A copy of the Incident Report must be made available to parent/guardian by the administrator within 24 hours after receipt of the Incident Report.
- b. The administration shall conduct a debriefing with all involved staff and parents and, if appropriate, the student;
  - i. Debrief utilizing the District's Debriefing Form.
  - ii. evaluate the trigger for the incident, staff response, and methods to address the student's behavioral needs;
  - iii. During the debrief, if the behavior is noted as a pattern of dangerous behavior that leads to the use of restraint and/or seclusion, a Functional Behavior Assessment, and/or a Behavior Intervention Plan must be completed.

**✓III. Training and professional development:**

- a. The district will ensure that an appropriate number of personnel in each building are trained in crisis management and de-escalation techniques.
- b. The school district will maintain written or electronic documentation on training provided and lists of participants in each training.
- c. All student personnel shall be trained annually on this policy.

**IX. District Monitoring:**

- a. The school board and superintendent shall monitor the implementation of this policy.
- b. This policy shall be accessible on the district's website.
- c. The district shall notify all parents annually on the school's website of its policy on seclusion and restraint.

**X. Complaint:**

- a. A parent/guardian who feels that a school employee violated this policy may file a complaint pursuant to Policy KL: Complaint Against School Employee.
- b. If the student is a student with a disability, the parent/guardian of the student with a disability may file a complaint with the South Dakota Department of Education, Office of Special Education instead of filing a complaint pursuant to Policy KL: Complaint Against School Employee.

*Notes:*

*(1) Section VII (a)(ii) and (b)(i) refers to ASBSD sample policy exhibits JGB-E(1): Restraint and Seclusion - Incident Report Form, and JGB-(E2): Restraint and Seclusion - Debriefing Form. Your District may use a different Incident Report Form and Debriefing Form.*

*(2) Section X. a. and b. refer to ASBSD sample policy KL: Complaint Against School Employee. If your district's Complaint Against School Employee policy is coded differently than KL, your district's policy would be referenced in section X.*

Adopted: 6/13/2018

Revised:  
Reviewed:

Timber Lake School District 20-3	NEPN Code: IAG-E(1)
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**RESTRAINT AND SECLUSION  
INCIDENT REPORT FORM**

\_\_\_\_\_  
Student Name Date of incident

Does this student have a disability? \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, what is the disability? \_\_\_\_\_

Student ethnicity: \_\_\_\_\_ Student gender: \_\_\_\_\_

Teacher/class/grade \_\_\_\_\_

Staff person(s) initiating restraint; others present/involved: Staff

person(s) initiating seclusion; others present/involved:

Describe the behavior that led to restraint/seclusion, including time, location, activity, others present, other contributing factors:

Procedures used to attempt to de-escalate the student prior to using restraint/seclusion:

Describe the restraint/seclusion:

Duration of time of restraint/seclusion

\_\_\_\_\_  
Staff member submitting report

Submitted to Administration at \_\_\_\_\_ time \_\_\_\_\_ date

Adopted: 6/13/2018  
Revised:  
Reviewed:



# **RESTRAINT AND SECLUSION DEBRIEFING FORM**

Student: \_\_\_\_\_

Date of Incident: \_\_\_\_\_

Date of Debriefing: \_\_\_\_\_

Present:

Name	Position	Signature	Has the staff completed restraint training?

1. Give a brief description of the circumstances (antecedents) leading up to this incident.

2. Give a summary of the incident.

3. What was the intervention used?

4. What was the outcome?

5. From information gained, what changes (if any) should be made?

6. Has a support plan been initiated? If yes, \_\_\_\_\_Yes \_\_\_\_\_No  
who was contacted?

7. If applicable, how will the support plan affect any of the following:

- Behavior intervention plan (BIP)
- 504 plan
- Individualized Education plan (IEP)
- Does the team need to reconvene?

If yes, name of person responsible for notifying the team

BIP    \_\_\_\_Yes           \_\_\_\_Date           \_\_\_\_N/A

504    \_\_\_\_Yes           \_\_\_\_Date           \_\_\_\_N/A

IEP     \_\_\_\_Yes           \_\_\_\_Date           \_\_\_\_N/A

8. Is this a repeated instance of restraint or seclusion, if so, a Functional Behavioral Assessment (FBA) shall be conducted. Has an FBA been initiated? \_\_\_\_\_ Yes \_\_\_\_\_ No / completed? \_\_\_\_\_ Yes \_\_\_\_\_ No

NOTE: Process for requesting additional help. (District should insert their specific process to direct teams in next steps for additional help)

9. Additional comments (if any)

Adopted: 6/13/2018

Revised:

Reviewed: