

PHILOSOPHY OF EDUCATION

THE EDUCATIONAL PROGRAMS of the community must focus upon the needs, interests, and abilities of all students as well as the needs of society. These programs will enable the individual to achieve his/her highest potential which will enable society to be perpetuated and improved through competent participation of effective individuals. It is our responsibility to develop a knowledgeable citizen with the desire to learn, a willingness to accept responsibility, and an ability to adjust to the natural/social environment. Accomplishing this goal can be achieved when students, parents, school personnel, school board members, and community members work cooperatively towards this goal.

THE RESPONSIBILITY OF THE HOME is to provide a climate which will develop desirable attitudes and behavior which will allow a learner to make maximum use of his/her educational opportunity. The home should encourage a child's natural curiosity by providing valuable and varied learning experiences. It must establish values making each student responsible for his/her conduct. The home should instill in each student the benefits of hard work and perseverance.

THE RESPONSIBILITY OF THE STUDENT is to develop and to maintain an inquiring attitude that fosters searching, studying, and evaluating before reaching a conclusion. The student should recognize that achievement is the result of constant effort and application of abilities realizing that learning is a highly individual, ongoing, and rewarding experience. He/she should develop responsible patterns of attendance and punctuality. The student shall develop a sense of responsibility and self-discipline.

THE RESPONSIBILITY OF THE TEACHER is to encourage each learner to achieve and challenge his/her ability by developing good study habits and encourage self-discipline. The teacher shall present an interesting curriculum which recognizes individual differences. The teacher shall exhibit poise, enthusiasm, initiative, and creativity. The teacher shall contribute to the spirit of cooperation, within the school and community. The teacher shall maintain professional growth and continuously evaluate his/her effectiveness. The teacher shall utilize effective methods and integrate academics into real life applications.

THE RESPONSIBILITY OF THE CLASSIFIED STAFF is to assist the students, teachers, and administration in providing a quality teaching and learning experience. They will assist in effective and efficient operation of the school system. The classified staff shall be supportive of teachers, administration, and school system in general in all communications with the general public. It is the role of the classified staff to assist in providing a safe, clean, healthy, and caring atmosphere for students.

Updated June, 2020

THE RESPONSIBILITY OF THE ADMINISTRATION is to furnish leadership in the development and improvement of the school and in execution of school policies. The administration shall evaluate the school curriculum and personnel providing recommendations and assistance to improve quality. The administration shall promote effective communications within the school and to the community. It is the administration's responsibility to maintain a competent staff encouraging them to grow professionally.

THE RESPONSIBILITY OF THE SCHOOL BOARD is to interpret to the community the programs and the needs of the school district in order to develop mutual understanding and to provide the working conditions and the compensation which will attract and retain qualified and competent school personnel.

THE RESPONSIBILITY OF THE COMMUNITY is to maintain a spirit of cooperation and understanding with the school. The community will establish learning as a priority and support a quality system to address the needs of students. Community members should make a sincere effort to investigate and better understand the school program. The community shall encourage and support responsible citizens to serve as members of the school board.

EQUAL EMPLOYMENT OPPORTUNITY

The Board believes it is educationally sound to provide students with an opportunity to relate to and learn from staff members of diverse backgrounds.

The district will provide, through a positive and effective affirmative action program, equal opportunities for employment, retention, and advancement of all people regardless of race, color, religion, national origin, handicap, or sex.

Decision to employ will be based on the qualification of an applicant to perform in a specific assignment.

The Board wishes for the district affirmative action program to be active, not passive, and for it to comply in good faith with all relevant laws and regulations.

LEGAL REFS.: Civil Rights Act of 1964, as amended in 1972, Title VI, Title VII
Executive Order 11246, 1965, amended by Executive Order 11375
Equal Employment Opportunity Act of 1972, Title VII Education
Amendments of 1972, Title IX (P.L. 92-318) 45 CFR, Parts 81, 86
(Federal Register, June 4, 1975, August 11, 1975) Rehabilitation
Act of 1973 Age Discrimination in Employment Act, P.L. 95-256

Updated June, 2020

FLANDREAU PUBLIC SCHOOLS NON-DISCRIMINATION STATEMENT

The Flandreau School District 50-3 advises students, parents, employees, and the general public that educational programs or activities and employment opportunities will be offered without regard to sex, race, color, national origin, or disability. The person designated to coordinate Title IX is Ross Rollinger, High School Principal of Students/Activities and for Section 504 compliance activities is Marie Ivers, Principal of Curriculum & Instruction. If you have any questions or concerns about this policy you should contact:

Nichole Herzog, Title IX Coordinator
Flandreau School District
600 West Community Drive
Flandreau, SD 57028
(605) 997-2455

Marie Ivers 504 Coordinator
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600 West Community Drive
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Regional Director, U.S. Department of Education, Office of Civil Rights, 10220 North Executive Hills Boulevard, 8th Floor, Kansas City, MO 64153-1367. Phone (816)880-4202. Fax (816) 891-0644

BOARD-STAFF COMMUNICATIONS

The Board desires to maintain open channels of communication between itself and the staff. The basic line of communication will, however, be through the superintendent.

Staff Communications to the Board

All communications or reports to the Board or any Board committee from principals, supervisors, teachers, or other staff members will be submitted through the superintendent. This necessary procedure will not be construed as denying the right of any employee to appeal to the Board administrative decisions about important matters, provided that the employee has discussed the matter with the Superintendent, attempted to resolve it with him or her, and notified him of the forthcoming appeal. The appeal must be processed in accordance with the Board policy on complaints and grievances.

Also, Board meetings are public meetings. As such, they provide an excellent opportunity to observe at first-hand the Board's deliberations on problems of staff concern, and staff members may participate in Board meetings in accordance with the policy on public participation at such meetings. Further, at times, and with the knowledge of the superintendent, the Board may invite staff members to speak at Board meetings or to serve on advisory committees to the Board.

Board Communications to Staff

All official communications, policies, and directives of staff interest and concern will be communicated to staff members through the superintendent, and the superintendent will employ appropriate methods to keep staff fully informed of the Board's problems, concerns, and actions.

Social Interaction

Staff and Board members share a keen interest in the schools and in education generally, and it is to be expected that when they meet at social affairs and other functions, they will informally discuss such matters as educational trends, issues, and innovations and general school district problems. However, staff members are reminded that individual Board members have no special authority excepting when they are convened at a legal meeting of the Board or vested with special authority by Board action. Proper ethics prohibit discussion by either party of personalities or personnel grievances.

SCHOOL BUILDING ADMINISTRATION

Acting with the approval of the superintendent and upon the advice of central office administrators, each principal will be the chief administrator of his or her school. All personnel assigned to his or her building will be directly responsible to him or her. Staff members who work in more than one school will be responsible to the principal of the school during the time they are working in his or her building.

The principal is charged with the supervision and direction of the staff and the students assigned to his or her building, and with care of the school facility and its equipment. He or she will see that district policies, rules, and regulations, the directives of district officers, and the guidelines for the instructional program are observed. Within the framework of Board policies and general rules and regulations set by the superintendent, the principal may establish and enforce such additional regulations as he or she deems advisable for the efficient operation of his or her school.

LINE AND STAFF RELATIONS

The superintendent will establish and maintain clear understandings on the part of all personnel of relationships in the school system. “Personnel will refer matters requiring administrative action to the administrator(s) responsible for the affected area(s) of operation.”

Lines of direct authority will be those approved by the Board and shown on the district organization charts.

Personnel will be expected to refer matters requiring administrative action to the administrator to whom they are responsible. That administrator will refer such matters to the next higher administrative authority when necessary. Additionally, all personnel are expected to keep the person to whom they are immediately responsible informed of their activities by whatever means the person in charge deems appropriate.

It is expected that the established lines of authority will serve most purposes; through grievance procedures established by Board policy, all personnel will have the right to appeal any decision made by an administrative officer.

Further, lines of authority should not restrict in any way the cooperative, sensible working together of all staff members at all levels in order to develop the best possible school programs and services. The lines of authority establish direction of authority and responsibility, but the lines also represent avenues for a two way flow of ideas and communications to improve school programs and operations.

MANAGEMENT TEAM

The Board supports the concept and application of team management in the administration of the district.

The superintendent will lead, determine the structure of, and designate membership for the management team. The team is responsible to the superintendent who, in turn, is responsible to the Board.

ORGANIZATION CHARTS

The legal authority of the Board will be transmitted through the superintendent along specific paths from person to person as shown on the district organization chart.

The district organization chart will be prepared by the superintendent and approved by the Board. The lines on the chart will represent direction of authority and responsibility. The chart may also indicate certain “staff” (as opposed to “line”) relationships.

The superintendent will keep the administrative structure up to date with the needs for supervision and accountability in the school system. Therefore, he or she may, from time to time, recommend for Board approval changes in the district organization chart.

LINE AND STAFF ARRANGEMENTS

1. The goal of line and staff arrangements are to maintain lines of communication and resolve problems at the lowest possible administrative level. Any problems, complaints or suggestions from faculty or staff members should first be taken to their immediate supervisor for possible resolution. If the problem is not, or cannot be resolved at this level, it may then be appealed to the next appropriate administrative level until it is resolved or until it has reached the Board of Education.
2. Complaints to the Board are to be handled through the Superintendent who in turn places the item on the Board agenda for consideration.
3. Committees, councils, and liaison groups shall refer findings or recommendations through the Superintendent for Board consideration.
4. To maintain lines of communication, the Advisory Council shall bring concerns of staff members to administrative attention through regularly scheduled meetings.

FRINGE BENEFITS

MEDICAL/HOSPITAL AND DENTAL INSURANCE

1. Health Insurance – The District will pay per month for family health coverage according to the following schedule:

<u>Deductible</u>	<u>Single</u>	<u>Two-Party</u>	<u>Family</u>
\$1000	\$420.00	\$420.00	\$420.00
\$2000	\$420.00	\$420.00	\$420.00

2. A married couple who are both employed by the Flandreau School District may be eligible to receive the school district's share of the health insurance premium and dental insurance for the two single coverages. These two single coverages may be applied toward one two-party or one family health insurance plan. Also, these two single coverages may be applied toward one family dental insurance plan.
3. For dental insurance, the Board will secure dental insurance through Delta Dental and the District will pay \$30.00 per month for family dental coverage and \$30.00 per month for single dental coverage.
4. The group plan insurance will be in effect beginning with the first full month of employment.
5. The insurance plan is optional to the teacher. Teachers who do not participate will not receive pay in lieu of non-participation in the plan.
6. The school board will determine the health insurance plan following consultation with the employees.
7. Supplemental insurance plans may be added at no cost to the district.

TAX-SHELTERED ANNUITIES

Any teacher of the Flandreau School District may be given the privilege of entering into an amendment to the teacher's existing contract reflecting reduction in salary for the remainder of the contract term, and that for those teachers accepting such reduction in salary, the Flandreau School District would apply for a non-forfeitable annuity contract and purchase the same for the benefit of said teacher, with no cost to the school district. Teachers will be allowed to make an amendment for salary reduction at two periods during the school year. The application must be submitted to the Business Manager by the first Friday after Labor Day or again, prior to March 1. These deductions would be effective with a teacher's paycheck in September or March.

CLASSIFIED EMPLOYEE BENEFITS

Classified employee benefits such as insurance and leave allowances will be determined by the school board for classified employees. Benefit levels per individual classified employee will be identified upon issuance of work agreements. Normal benefits will be provided full-time classified employees if the employee is assigned a minimum of 32 hours per week. Classified employees assigned less than 32 hours per week and a minimum of 20 hours per week will receive half the normal benefits. Classified employees assigned less than 20 hours per week will not receive benefits.

Classified Employee Two-week Notice Requirement

Classified employees are required to provide the superintendent with a written two-week advance notice of severance from their employment. A classified employee who does not provide two-week notice shall lose all benefits on the last day actually worked. Upon proper notice of severance of employment, insurance benefits for classified employees will be in effect to the end of the month of employment.

Classified Employee Accumulated Vacation and Other Leave

Any unused sick leave may be accumulated from one year to the next to a total of 60 to 75 days dependent on work agreement period. When the maximum sick leave is accumulated, all classified staff will be reimbursed for hours over accumulated sick leave at a rate of \$7.00 per hour. Reimbursement will be made in December. The following are the accumulated totals:

- 315 hours for a staff member on a 9-month contract
- 400 hours for a staff member on a 10-month contract
- 480 hours for a staff member on a 12-month contract

Classified employees will not be paid for any accumulated vacation, sick leave, or other leave days upon severance from employment. However, after twenty years of service with the Flandreau School District and upon proper notice of severance of employment, an employee will be reimbursed \$3.00 per hour for up to 480 hours of unused sick leave.

Classified staff are to be allowed to convert accumulated sick leave to personal leave. If classified staff have at least 216 hours of accumulated sick leave at the end of the school year and have at least 4 years of experience in the district, they can convert 16 hours of sick leave into 8 hours of personal leave. This is to be used in the same increments as the personal leave policy. Staff may only carry over a maximum of 8 hours of personal leave. This benefit can be utilized only once per school year.

Updated June, 2020

Classified employees shall be allowed leave with full pay due to personal illness on the following basis:

<u>Work Agreement Period</u>	<u>Sick Leave Days</u>
Nine Months	9 = 72 hours
Ten Months	10 = 80 hours
Eleven Months	11 = 88 hours
Twelve Months	12 = 96 hours

A leave day is considered the same amount of time as the employee's normal workday. Maximum number of leave hours per day allowed is eight hours. Sick leave can be used for immediate family only. Immediate family consists of spouse, child, parent, sibling, grandparent, grandchild, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law and son-in-law.

In the event that a staff member's childcare is closed and when no alternative childcare is available staff may use sick leave.

(Revised 6/2019; 6/2020)

Family Medical Leave

Family medical leave is provided according to district policy.

Family Illness Leave

Up to three days per incident to a maximum of twelve accumulated sick leave days per year may be used by employees for family illness purposes which include doctor or dentist appointments for immediate family members. Each three-day incident may be extended with a doctor's confirmation upon superintendent approval up to a maximum of twelve days. All family illness leave days shall be deducted from the employee's accumulated sick leave.

Bereavement Leave

Up to three days per incident to a maximum of 108 hours accumulated sick leave days per year may be used for funeral/bereavement leave. The superintendent upon request may approve additional days. All bereavement leave days shall be deducted from the employee's accumulated sick leave. Immediate family will be defined as spouse, child, parent, sibling, grandparent, grandchild, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law and son-in-law.

Personal Leave

Sixteen hours per year for full-time employees and eight hours personal per year for employees who work less than 32 hours per week. Personal leave must be requested to

the superintendent in writing at least 24 hours in advance of the day on which the leave is to be taken. Personal leave is not to be used for days when weather conditions impede getting to work. Personal leave shall not be allowed the day preceding or following a vacation or holiday period or during the first or last day of the school year. Personal leave shall not be used when other types of leaves are provided for the purpose of which the leave is required. Classified employees will receive payment for unused personal leave days each year at a rate of \$60 per day or \$7.50 per hour to a maximum of two days per year. Classified staff will be allowed to carry over one personal day/8 hours to the following year. At the end of the school year, staff will have the choice to be paid at the \$60 rate or carry over one personal day/8 hours. The maximum number of personal days in any given year would be 3 total or 24 hours (16 hours new and 8 hours carried over) Staff must notify the Business Manager in writing by the last day of school if they would like to have one personal day carried over to the next year. If written notice is not submitted, the teacher will be paid for their unused personal leave.

Court and Jury Leave

Any classified employee called for jury duty during school hours, or who is subpoenaed to testify in a hearing during school hours on a matter in which he/she is not a named party, will be granted leave with pay for the days or parts of days such absence is required. Any payment other than per diem received for jury duty or the designated subpoena absence will be submitted to the school district business manager. The employee will notify the superintendent as soon as practical to make the necessary arrangements for a substitute when jury leave must be taken.

Paid Holidays

See individual contracts

PERMISSIVE LEAVE

All full time teachers may be allowed permissive leave at the discretion of the Superintendent.

Permissive leave shall be defined as leave for reasons which are not covered in any of the above policies. In most cases, permissive leave shall be granted sparingly.

Permissive leave shall be docked at full pay.

LEAVE

1. When school is in session and weather prevents a staff member from arriving to school on time, either personal leave or permissive leave must be used. If the employee is out of personal leave, permissive leave must be used.

Updated June, 2020

2. Paraprofessional staff is expected to attend in-service time and will have to take leave if not in attendance.

(Revised 6/2019)

VACATION LEAVE FOR FULL-TIME TWELVE MONTH STAFF

Classified employees will be credited each July 1 with the vacation amount which they have accrued the previous year. Those employed one through three years have 80 working hours vacation leave. Those employed for four years and more will begin earning eight hours of vacation leave each year of their employment to a maximum of 160 hours. Employees will be credited with the extra vacation days on July 1 of their anniversary year. Vacation leave will not accumulate.

Current classified employees who have worked for the school district at least eight years will receive a maximum of five additional days beginning July 1, 2002. Vacation days may accrue for these individuals following July 1, 2002 within the scope of this policy at the rate of one day per year.

Vacation must be approved by the Superintendent at least five (5) working days in advance, unless unusual circumstances exist. As a general rule, vacation time will not be granted during the five (5) working days before school starts and the five (5) working days after school ends. All vacation used must be recorded with the Business Manager.

Administration will attempt to grant vacation leave to employees based on their requests. However, the supervisor must provide for adequate staff levels and employees should cooperate with their supervisor when scheduling vacation leave. The Superintendent is responsible for approving vacation leave requests.

Vacation leave is not granted to extend an employee's period of employment beyond the last day worked, nor is vacation leave granted after an employee has submitted a written resignation from employment.

Vacation leave will be based on the average hours per day worked in the preceding year of employment, but will not exceed eight (8) hours per day.

CLASSIFIED HIRING GUIDE

- a. \$0.10 per year experience up to 10 years
- b. \$0.25 increase for 2 year degree
- c. \$0.50 increase for 4 year degree

Classroom Paraprofessionals:

Starting wage \$11.90

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Alternative Room Supervisor:

Starting wage \$13.00

Secretaries (10-month contract):

Starting wage \$13.50

Secretary/Admin Assistant:

Starting wage \$14.00

Custodians:

Starting wage \$13.50

Meal Cashiers will receive a \$1.00 increase for cashier time only

(Adopted 5/2018; Revised 6/2019; 6/2020)

SALARY PAYMENT

Classified staff shall receive salary payment on the 20th of the month or the last workday preceding the 20th if the 20th is not a workday. If the 20th is a holiday of which the banks do not consider a normal workday, salary payment shall be made on the most previous workday.

LONGEVITY PAY

Longevity pay will be granted to classified staff who have been in the Flandreau School District for ten years or more. This will be paid in a stipend at the end of the school year. If a classified staff member does not complete a full year, the stipend will be forfeited. Longevity pay will be paid out at the end of the school year.

<u>Years of continual service</u>	<u>Annual Longevity Pay</u>
5 – 9.9 years	\$100
10 - 14.9 years	\$150
15 – 19.9 years	\$200
20 – 24.9 years	\$250

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25 – 29.9 years	\$300
30 – 34.9 years	\$350
35 + years	\$400

PARENT –TEACHER CONFERENCES

Starting in the 2020-2021 school year, parent-teacher conferences will be an optional work day for Paraprofessionals.

TEACHER RESPONSIBILITIES

Public Complaints About School Personnel

Constructive criticism of the school is welcomed by the Flandreau School District when it is motivated by a sincere desire to improve the quality of the education program and to help the school personnel in performing their tasks more effectively.

The Board places trust in its teachers and desires to support their actions in such a manner that teachers are freed from unnecessary, spiteful, or negative criticism and complaints.

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

The Board recognizes that situations may arise in the operation of the school system which are of concern to parents or the public. Such concerns are best dealt with through communication with appropriate teachers, principals, the Superintendent, and the Board.

The following guidelines are the proper procedure to be followed by persons with questions or complaints:

1. Matters concerning individual students should first be addressed to the teacher.
2. Unsettled matters from (1) above or problems and questions concerning individual schools should be directed to the principal of the school.
3. Unsettled matters from (2) above or problems and questions concerning the system should be directed to the Superintendent.
4. The Board will consider hearing citizen complaints when they cannot be resolved by the administration. Matters referred to the Board must be in writing and should be specific in terms of the complaint and the action desired. The Board will not consider or act on complaints that have not been explored at the appropriate administrative level.

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If it appears necessary, the administration, the person who made the complaint, or the teacher involved may request an executive session of the Board for the purpose of further study and decision by this body. Generally all parties involved, including the school administration, shall be asked to attend such a meeting for the purposes of presenting issues. Hear-say and rumor shall be discounted as well as emotional feelings except those directly related to the situation.

The Board shall conduct such meetings in as fair and just a manner as possible. The Board may request a disinterested third party to act as moderator to help it reach a mutually satisfying solution. In all meetings in regard to complaint, the teacher shall be allowed representation of the teacher's choosing.

STAFF ETHICS

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

1. The maintenance of just and courteous professional relationships with students, parents, staff members and others.
2. The maintenance of their own efficiency and knowledge of the developments in their fields of work.
3. The establishment of friendly and intelligent cooperation between the community and the school system.
4. The placement of the welfare of children as the first concern of the school system, which will require that appointments to positions and promotions be based solely on merit. The use of pressure on school officials for appointment or promotion is unethical.
5. Restraint from using school contacts and privileges to promote partisan politics, sectarian religious views, or selfish propaganda of any kind.
6. Directing any criticism of other staff members or of any department of the school system toward the improvement of the school system. Such constructive criticism is to be made directly to the particular school administrator who has the administrative authority to improve the situation and then to the superintendent, if necessary.

The proper use and protection of all school properties, equipment and materials.

NOTE: The American Association of School Administrators and National Education Association among other professional education groups have codes of ethics which may be endorsed in Board policy or shown as policy manual exhibits.

STAFF CONDUCT (And Responsibilities)

All staff members have a responsibility to make themselves familiar with, and abide by, state laws as these affect their work and Board policies and the administrative regulations designed to implement them.

Most professional organizations for administrators, teachers, and other education professions have codes of ethics which set forth standards for ethical professional conduct. The Board wishes for professional staff members to adhere to the standards established by the pertinent codes.

In the area of personal conduct, the Board wants all staff members to conduct themselves in a manner that not only reflects credit to the school system, but that sets forth a model worthy of emulation by students.

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

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

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

STAFF-STUDENT RELATIONS

Staff members will be expected to regard each student as an individual and to accord each the rights and respect due any individual. Consequently, the role of staff will be seen, not as dictators, but as directors and aides in the learning processes. Staff members will strive to provide for the fullest self-determination by each student in regard to his learning program, consistent with district and local goals and with optimal opportunities for all students. Students will be treated with courtesy and consideration. Neither insults nor sarcasm will be used before a student's peers as a way of forcing compliance with a staff member's requirements or expectations.

Students are urged to regard staff members as people with specific knowledge and capabilities which can serve to advance the student's own knowledge and development.

Students will be expected to regard staff members as individuals, employed to provide direct or indirect contributions to learning. While students are to have considerable latitude in making choices for themselves, they will be required to respect the rights of staff members (and other students as well) and interference with those rights will not be condoned. No students will have the right to interfere with the efforts of instructional staff to coordinate or assist in learning, to disseminate information for purposes of learning, or to otherwise implement a learning program. Nor will a student have the right to interfere with the motivation to learn or the learning activities and efforts of other students.

The Board believes it is commendable for a teacher to take a sincere professional interest in an individual student, provided partiality interest in an individual student, provided partiality and the appearance of partiality are avoided. The teacher who inspires, guides, and helps can have a positive, lasting influence on a student's life, but such teacher-pupil friendships must be on a teacher-student basis. "Pal-like" relationships indicate excessive personal involvement, are not compatible with good professional ethics, and will not be condoned.

CONTRACT CONDITIONS

HEALTH EXAMINATION

1. Physical Examination
 - a. Positive reactors must have an annual x-ray.
 - b. All new employees must have a physical to comply with South Dakota Division of Education rules.
2. An employee of the school district who is unable to return to duty following two weeks of illness or injury shall present a certificate from a physician to the Superintendent.
3. If at any time there is reasonable cause to believe that an employee is suffering from an illness detrimental to the health of the pupils or from a mental or physical disorder affecting his or her ability to perform his or her duties, the board of education may require a new certification of health by a physician appointed by the Board, the expense of which shall borne by the School District.
4. Psychological Examinations – Instructional Personnel. The school district may, in certain instances, require a psychological examination of an employee by a licensed psychiatrist as evidence of good mental health. Such employees may be suspended from employment until he is able to produce a certificate from a licensed psychiatrist that such individual can safely continue such employment.

EMPLOYEE COMMUNICABLE DISEASES

The Board recognizes its responsibility to provide a clean and healthy environment for students and school employees.

The determination of whether an infected employee be excluded from work activities shall be made on a case-by-case basis, under the direction of the principal/building administrator or designee.

In situations where the decision requires additional knowledge and expertise, the principal will refer the case to an advisory committee for assistance in determining the proper course of action.

The advisory committee may be composed of:

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

In making the determination, the advisory committee shall consider:

1. The physical condition of the school employees;
2. The expected type(s) of interaction with others in the school setting;
3. The impact on both the infected school employees and others in that setting;
4. The South Dakota Department of Health guidelines and policies;
5. The status of certification of the employee as is promulgated in SDCL 13-43-3 and SDCL 13-43-3.3;
6. The recommendation of the County Health Officer, which may be controlling;
7. Information regarding the infected employee which is deemed part of his/her personnel records, therefore, is classified as "Confidential" as required by SDCL 1-27-3.

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

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

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

Updated June, 2020

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

Health guidelines for work attendance are established and with the context of the case. The guidelines are not inclusive but are available to be used as a resource. School personnel will refer to school health professionals for specific judgements in interpreting the guidelines.

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

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

LEGAL REF: SDCL 13-43-3 through 13-43-3.3, SDCL 1-27-3, and ARSD 24:03:09:10
OTHER REFERENCE; Control of Communicable Diseases in Man, 14th Ed., 1985 –
Abram S. Benenson, Editor

EMPLOYEE COMMUNICABLE DISEASE GUIDELINES

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

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

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

* Time interval between initial contact with an infectious agent and the first sign of symptom of the disease. LEGAL REFS: SDCL 13-43-3.3, SDCL 1-27-3 ARSD
24:03:09:10

FAMILY AND MEDICAL LEAVE

I. Policy Statement

The Flandreau School District shall comply with the mandatory provisions of the Family and Medical Leave Act of 1993 (FMLA) as authorized by P.L. 103-3. The Superintendent shall administer this policy adopted by the Flandreau Board of Education, setting forth the rights and procedures granted by the Act, and shall ensure compliance with this policy either personally, by delegation, or by some combination of personal supervision and delegation. For purposes of this policy and an employee's right to take leave under the Family and Medical Leave Act and Flandreau School District policy, full-time certified staff employed by the Flandreau School District for twelve months are deemed "eligible employees" and are covered by this policy. Any certified staff member employed less than full-time must have been employed by the Flandreau School District for twelve months and employed for at least one thousand two hundred fifty (1,250) hours during the previous twelve (12) month period immediately receding the commencement of leave to be an "eligible employee" for purpose of this policy. A classified staff (support staff) employee must have been employed with the Flandreau School District at least 1250 hours within the 12 month period immediately receding the requested leave to be deemed an "eligible employee." (Employment is defined as being on the Flandreau School District's payroll).

II. Procedures for implementing family and medical leave:

- A. An eligible employee for FMLA leave under this policy shall be entitled up to a total of sixty (60) days (twelve weeks) of FMLA leave per school year (July 1 to June 30) for the following qualifying reasons:
1. The BIRTH and first year care of a newborn child (including circumstances which require leave to be taken prior to the birth of the child);
 2. The ADOPTION OF FOSTER PLACEMENT of a child (including circumstances which require leave to be taken prior to actual placement of the child);
 3. The care of employee's spouse, son or daughter, or parent who has a SERIOUS HEALTH CONDITION, or
 4. The employee's own SERIOUS HEALTH CONDITION, that makes the employee unable to perform his/her job.
- B. Not all absences of an employee due to illness of the employee or family member constitutes FMLA leave "due to a serious health condition" under #3 and #4 above. "Serious Health Condition" means an illness, injury, impairment, or physical or mental injury that involves inpatient care in a hospital or residential

medical care facility OR continuing treatment of the employee or family member by a health care provider due to incapacity requiring the employee to be absent from work for more than 3 calendar days for continuing treatment of a chronic or long term health condition. (“Continuing treatment” means two or more visits to a health care provider or when the employee or family member is under continuing supervision of the health care provider due to a serious long-term or chronic condition or disability which cannot be cured). Short-term absences due to conditions which require only very brief treatment (if any) and recovery do not qualify for FMLA leave, although the employee would still be entitled to take paid sick leave pursuant to the Flandreau School District’s sick leave policy if the employee is covered under the policy. The flu would be an example of such a situation. (The days taken under District’s sick leave policy but not qualifying for FMLA leave would not be deducted from the 60 days of FMLA leave to which the employee is entitled in each 12 month period).

- C. The certified employee taking FMLA leave shall be required to count and apply accrued paid days and personal leave toward the twelve (12) weeks of FMLA leave taken for birth, adoption, foster care or care of a family member (II. A. 1,2 and 3). Paid personal leave and sick leave shall be applied toward FMLA leave taken due to a serious health condition of the employee or family member (II. A. 3 and 4). A classified employee shall also be required to apply paid vacation days and leave against the 60 days of FMLA leave to which eligible employees are entitled. If the employee does not have sufficient accrued paid sick leave combined with paid personal leave (and for classified employees, also paid vacation days) equal to the period FMLA leave is taken, the employee is still entitled to the total twelve weeks FMLA leave within the one (1) year period for FMLA qualifying reasons. However, when FMLA leave is taken in such instances, the difference between the employee’s accrued paid leave and the 60 days of FMLA leave to which the employee is entitled shall be on an unpaid leave basis.
- D. During the period of FMLA leave, the employee is entitled to continuation of any employee group health benefits which the employee was receiving when the employee began taking FMLA leave. The Flandreau School District shall continue to pay its portion of the group health insurance premiums, and it shall be the employee’s responsibility to continue to pay for his or her portion of said premiums. Upon return to work, the employee shall be entitled to his or her same position or an equivalent position at the same rate of pay and benefits which the employee received at the time FMLA leave began (subject to changes in the Flandreau School District policy, in the negotiated agreement relative to salary and health insurance benefits and subject to the Flandreau School District’s reduction-in-force policy). A return to work during the last two (2) or three (3) weeks of semester from FMLA leave by certified staff shall also be subject to certain restrictions as set forth in the Special Rules section. The employee shall not accrue additional benefits during the period FMLA leave is taken without pay.

- E. In the case of birth, adoption or foster placement, the FMLA leave entitlement for child-care ends after the child reaches the age of one, or 12 months after the adoption or placement. FMLA leave to care for a child/parent also includes the right to take the FMLA leave by/for a step-parent/step-child or a person recognized as acting as a parent as a guardian (or adult with whom child resides pursuant to SDCL 13-28-10).
- F. In cases where both spouses are employed by the Flandreau School District, the combined total of FMLA leave for both employees for birth, adoption or foster placement, or parent shall be limited to twelve (12) weeks. This limitation of twelve (12) weeks total, however, does not apply to employee-spouses taking FMLA leave due to other serious health conditions of a family member.
- G. The Flandreau School District, at the request of the employee, may agree to allow the employee to take FMLA leave intermittently or on a reduced hours basis, subject to the recommendations of the Superintendent and approval by the School Board.
- H. When unpaid FMLA lave is “foreseeable” in connection with birth, adoption or foster placement of a child, or for family or employee serious illness the employee shall provide thirty (30) days prior written notice of the request for FMLA leave (or as soon as possible if the employee becomes aware of the need for FMLA leave less than 30 days prior to the surgery or other event) and shall make a reasonable effort to schedule treatment, including the need for intermittent and reduced hour leave, so as to not duly disrupt the operations of the Flandreau School District.
- I. When the employee requests or is taking unpaid FMLA leave, the Flandreau School District may require health provider verifications of the serious health condition from the employee’s health care provider and may also require the employee to obtain a second medical opinion (at the District’s expense). In the case of employee serious illness, in addition to the current sick leave policy requirements, the employee shall provide certification by his or her health care provider certifying that the employee is able to return to work and is able to meet the essential functions of the job.
- J. If and employee does not return to work after the FMLA leave period has expired, all employee benefits shall cease to be paid by the Flandreau School District and the Flandreau School District may also require the employee to reimburse the Flandreau School District through payroll withholding for insurance premiums paid by the District while the employee was on unpaid FMLA leave unless the failure to return to work was due to the serious health condition that entitled the employee to take FMLA leave initially or due to other circumstances beyond the control of the employee.

Updated June, 2020

- K. The Superintendent or designee will be available to assist employees who want to apply for FMLA leave. FMLA request forms are available at the Superintendent's office.

POLICY ON DRUG PREVENTION CERTIFICATION FOR EMPLOYEES

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 to other employees. Therefore, the School Board will not tolerate the unlawful manufacture, use, possession, sale, distribution or being under the influence of drugs or controlled substances. 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 termination of employment and referral for prosecution. An employee who violates this policy may also be required to complete an appropriate rehabilitation program at the employees own expense. 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 regular employment. 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.

Thirty days after receipt of information concerning a violation of the policy the school district will take appropriate discipline action which may include termination of employment or requiring the employee to participate in drug abuse 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 workplace. This policy of maintaining a drug-free workplace, available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

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. All costs for professional assistance will be the responsibility of the employee. Employees who desire information on the availability of any drug and alcohol counseling, rehabilitation, or re-entry programs should contact their supervisor, the school guidance counselors, county health nurse, local physicians or the East Central Mental Health and Chemical Dependency Center.

When an employee has consumed alcoholic beverages or illegal drugs on school property and/or before a school activity, the staff member will not be allowed on school property or to participate in school activities. Employees who violate this policy will be subject to the same penalties as for possession or consumption on school property.

Updated June, 2020

Employees will receive a copy of this policy which includes standards of conduct and a statement of disciplinary sanctions. Compliance with the standards presented in this policy is mandated according to Federal Law (P.L. 101-226) and the Flandreau Board of Education.

A bi-annual review of the program by the Flandreau School District will be conducted to determine the program effectiveness and implement changes to the program if necessary and to determine that disciplinary sanctions are consistently enforced.

The Flandreau School Board commits itself to a continuing good faith effort to maintain a drug-free workplace.

CONTRACT CONDITIONS

SEXUAL HARASSMENT POLICY

Sexual harassment is illegal, unacceptable and shall not be tolerated, no employee or student of the Flandreau School District #50-3 may sexually harass another. Any employee or student will be subject to disciplinary action including possible suspension, expulsion, or termination for violation of this policy. Copies of the policy are available at all administrative offices.

DEFINITION

Any unwelcome sexual advances, solicitation or sexual activity by promise of rewards, coercion of sexual activity by threat of punishment, verbal sexist remarks, or physical assaults constitute sexual harassment. This conduct has the effect of unreasonably interfering with an individual's academic work performance or of creating an intimidating, hostile, or offensive employment or educational environment regardless of intent.

RESPONSIBILITY

School district officers, employees and students are responsible for maintaining a working and learning environment free from sexual harassment. Careful scrutiny will be undertaken of all allegations of sexual harassment. False allegations that are malicious or ill-founded may constitute libel or slander.

COMPLAINTS

Any employee who believes that the employee has been a subject of sexual harassment by a district employee or officer, should report this incident immediately to the immediate supervisor. If the immediate supervisor is involved in the activity, the violation should be reported to the supervisor's immediate supervisor. Students should report such incidents to the guidance counselor and/or the responsible administrator. All reported incidents will be thoroughly investigated and subject to disciplinary action. Confidentiality consistent with due process will be maintained.

If an employee or student files a written complaint because of dissatisfaction with the handling of the complaint, appropriate grievance procedures may be utilized.

COMMUNICATION WITH PUBLIC

EMERGENCY CHAIN OF COMMAND

The Superintendent of Schools is in charge of all buildings owned and operated by the Flandreau School District. In absence of the Superintendent, the following chain of command will be followed in each of the school buildings.

<u>High School</u>	<u>Middle School</u>	<u>Elementary School</u>
High School Principal	Middle School Principal	Elementary Principal
Middle School Principal	High School Principal	Middle School Principal
Elementary Principal	Elementary Principal	High School Principal
Counselor	Counselor	Counselor

Emergency telephone numbers:

Fire – 997-2423

Ambulance – 997-2423

Sheriff – 997-2423

IMPACT AID POLICY

The Flandreau School District provides that no person be subject to discrimination on the basis of sex, race, color, national origin, religion, marital status, age or mental and physical disabilities in its educational programs, activities or employment policies. The Flandreau School District is committed to complying with the requirements of state and federal laws concerning nondiscrimination and will strive by its actions to enhance the dignity of all persons.

In order to fulfill the requirements of Section 8003 ensure Tribal and Parental involvement in the education of those students of the Flandreau School District who are claimed for payment under Section 8003. This policy shall become effective immediately.

STUDENTS

CHILD ABUSE

Any personal interview or physical inspection of the child should be conducted in a considerate, professional manner and information or records concerning reports of suspected abuse or neglect are confidential and the release to persons other than provided by law (SDCL 26-10-12.2) is punishable by \$1,000 fine, one year in jail or both (SDCL 26-10-12-.3). Failure to make a report where abuse or neglect is suspected is subject to the same punishment. (SDCL 26-10-10)

Anyone who participates in making a report in accordance with the law and in good faith is immune from any civil or criminal liability that may otherwise arise from the reporting or from any resulting judicial proceeding even if the suspicion is proven to be unfounded. (SDCL 26-10-14).

Copies of this policy shall be distributed by the superintendent or his designee to all school employees at the beginning of each school term and to new employees when they begin employment if at a different time than the beginning of the school term.

The board will support any employee making a report of suspected child abuse or neglect until and unless it is determined that the employee was acting in bad faith in making the report.

LEGAL SCHOOL AGE

Every child who, before the 1st day of September in any year, shall have attained the age of six years and who has not attained the age of 21 years, shall be deemed to be of legal school age. A student who is enrolled in school and becomes 21 years of age during the school year shall have free school privileges and be considered to be of legal school age during the school year.

No child who is less than five years old on the first day of September shall be enrolled in Kindergarten during the school year and said child shall first become eligible for enrollment in the first grade one year thereafter.

SELLING MERCHANDISE

Students should not be asked nor allowed to sell any commodity of a commercial nature as a school project without permission from the Superintendent or Board of Education.

HANDLING BLOOD AND OTHER BODY FLUIDS GUIDELINES

The proper handling of blood and other body fluids is important in maintaining a clean, disease free environment. Therefore, the following information is provided for school employees regarding the proper handling of blood and other bodily fluids.

CUSTODIAL STAFF

1. Disposable rubber or similar impervious material gloves are to be used when cleaning any surface that has been contaminated with blood or other body fluid.
2. Proper procedure for putting on and removing gloves will be taught. After gloves are removed, hands must be thoroughly washed with soap and water.
3. Surfaces which may be exposed to blood or other body fluids are to be treated with a disinfectant solution (1:10 dilution of household bleach).
4. Any vomitus or body fluid on carpeting is to be treated with dry deodorizer followed by hot water-extraction.
5. Any potentially infective waste will be contained and transported in clearly identified heavy impervious material.
6. Wastes which cannot be flushed down the toilet may be disposed of in regular trash pick-ups, using a plastic line in the trash can and a tight fitting lid.
7. Blood and other body fluids may be carefully poured down a drain connected to a sewer system.

ADMINISTRATORS, TEACHERS, SECRETARIES, TEACHER ASSISTANTS, & BUS DRIVER

1. Always wash hands thoroughly before and after any student contact to reduce spread of infection.
2. Disposable rubber or similar impervious material gloves are to be used when working with students in any situation where contact with blood or other body fluids may occur.
3. After gloves are removed, hands must thoroughly washed with soap and water.
4. Any surfaces or instruments exposed to blood or other body fluids are to be cleaned with soap and water, then disinfected with a solution of 1:10 household bleach and water.

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5. Any potentially infective waste will be contained and transported in clearly identified heavy impervious material.
6. Wastes which cannot be flushed down the toilet may be disposed of in regular trash pick-ups, using a plastic liner in the trash can and a tight fitting lid.
7. Blood and other body fluids may be carefully poured down a drain connected to a sewer system.

COACHES AND STUDENT TRAINERS

1. Disposable rubber or similar impervious material gloves are to be work when working with athletes in any situation that may involve contact with any form of human body fluids.
2. After gloves are removed, hands must be thoroughly washed with soap and water.
3. Athletes who have open sores or wounds must wear a protective cover to guard against transfer of blood or body fluids from person to person.
4. Any surfaces exposed to blood or other body fluids are to be cleaned with disinfected with a solution of 1:10 household bleach and water.
5. Any potentially infective waste will be contained and transported in clearly identified heavy pervious material.
6. Athletes are to be provided individual, disposable drinking containers during practices and athletic events.
7. Wastes which cannot be flushed down the toilet may be disposed of in regular trash pick-ups, using a plastic liner in the trash can and a tight fitting lid.
8. Blood and other body fluids may be carefully poured down a drain connected to a sewer system.

TEACHERS, TEACHER ASSISTANTS, SECRETARIES, ADMINISTRATORS

1. If possible, do not handle blood or other body fluids. Call custodian or school health aide.
2. If you must handle human body fluids, follow procedure delineated for administrators, teachers, secretaries, teacher assistants and bus drivers.

LAUNDRY

Although soiled linen has been identified as a source of large numbers of certain pathogenic micro-organisms, the risk of actual disease transmission is negligible. Rather than rigid procedures and specifications, hygienic and common-sense storage and processing of clean and soiled linen are recommended. Soiled linen should be handled as little as possible and with minimum agitation to prevent gross microbial contamination of the air and of persons handling the linen. All soiled linen should be bagged and the location where it was used; it should not be sorted or rinsed in patient-care areas. Linen soiled with blood or body fluids should be placed and transported in bags that prevent leakage. If hot water is used, linen should be washed with detergent in water at least 71C (160F) for 25 minutes. If low-temperature (-70C)(158F) laundry cycles are used, chemicals suitable for low-temperature washing at proper use concentration should be used.

GUIDELINES FOR HANDLING BODY FLUIDS IN SCHOOLS

Recent concern about how children with AIDS should be educated has raised several questions regarding exposure of teachers and children to potentially infectious body fluids from children with communicable diseases in the school setting:

1. Does contact with body fluids present a risk of infection?
2. What should be done to avoid contact with potentially infected body fluids?
3. What should be done if direct contact with body fluids is made?
4. How should such fluids when spilled be removed from the environment?

The following guidelines are meant to provide simple and effective precautions against transmission of disease for all persons, including pregnant women, potentially exposed to the blood or body fluids of any student. No distinction is made between body fluids from students with a known disease or those from students without symptoms or with an undiagnosed disease.

DOES CONTACT WITH BODY FLUIDS PRESENT A RISK ?

The body fluids of all persons should be considered to contain potentially infectious agents (germs). The term “body fluids” includes: blood, semen, drainage from scrapes and cuts, feces, urine, vomitus, respiratory secretions (e.g. nasal discharge) and saliva. Contact with body fluids presents a risk of infection with a variety of germs. In general, however, the risk is very low and dependent on a variety of factors including the type of fluid with which contact is made and the type of contact made with it.

Table 1 provides examples of particular germs that may occur in body fluids of children and the respective transmission concerns. It must be emphasized that with the exception of blood, which is normally sterile, the body fluids with which one may come in contact usually contain many organisms, some of which may cause disease. Furthermore, many germs may be carried by individuals who have no symptoms of illness. These individuals may be at various stages of infection: incubating disease, mildly infected without symptoms, or chronic carriers of certain infections agents including the AIDS and hepatitis viruses. Infact, transmission of communicable diseases is more likely to occur from contact with infected body fluids or unrecognized carriers than from contact with fluids from recognized individuals because simple precautions are not always carried out.

Table 1

Transmission concerns in the school settings body fluid source of infectious agents

<u>Body Fluid-Source</u>	<u>Organism of Concern</u>	<u>Transmission Concern</u>
Blood -cuts/abrasions -nose bleeds - menses - contaminated needle	Hepatitis B virus AIDS virus Cytomegalovirus	Blood stream inoculation through cuts and abrasions on hands Direct blood stream inoculation
* Feces - incontinence	Salmonella bacteria Shigella bacteria Rotavirus Hepatitis A virus	Oral inoculation from contaminated hands
* Urine - incontinence	Ctyomegalovirus	Bloodstream and oral inoculation from contaminated hands

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Respiratory Secretions - saliva - nasal discharge	Mononucleosis virus Common cold virus Influenza virus AIDS virus Hepatitis B virus	Oral inoculation from contaminated hands Bloodstream inoculation through cut and abrasions on hands; bites
* Vomitus	Gastrointestinal viruses, e.g., (Norwalk agent Rotavirus)	Oral inoculation from contaminated hands
Semen	Hepatitis B AIDS virus Gonorrhea	Sexual contact (Intercourse)

* Possible transmission of AIDS and Hepatitis B is of little concern from these sources. There is not evidence at this time to suggest that the AIDS virus is present in these fluids.

AIDS POLICY FOR EMPLOYEES

1. The policy applies to all employees who are human Tlymphotropic virus type III antibody positive (HTLV III) or who meet the clinical definitions of AIDS Related Complex (ARC) or AIDS syndrome (AIDS)
2. Employee is defined in this policy to mean all persons hired by the school board, volunteers, and student teachers working in the district.
3. Employees with AIDS/ARC or HTLV-III antibody will be allowed to work for the Flandreau School District 50-3, with the written approval of the employee's physician, in an unrestricted manner unless the school board documents reasons to exclude the employee.
4. One or more of the following conditions may require a more restricted environment or exclusion from work for the infected employee.
 - a. The person is physically unable to perform his/her job.
 - b. The disability poses s substantial possibility of harm to others.
5. The employee's immediate supervisor shall notify the superintendent of schools when an AIDS infected employee may require a restricted work environment or exclusion from the work force.
6. The superintendent of schools may request a medical evaluation of the employee's physical ability to perform his/her job or if the disability poses a substantial possibility of harm to others in the work place. During the evaluation

- period, the employee may be excluded from work by the superintendent of schools with full pay and benefits.
7. The school board will weigh the risks and benefits to both the employee and to others and make a final determination concerning the employment deposition of each employee.
 8. An employee with AIDS/ARC or HTLV-III antibody who is determined by the school board not suitable for employment shall be eligible for sick leave benefits in accordance with the employee's contract.
 9. An employee infected with AIDS virus may experience immuno-deficiency and is at increased risk of experiencing severe complications from such infections as chickenpox, tuberculosis, herpes, and measles. Assessment of the risk to the immuno-suppressed employee of working in an unrestricted setting is best made by the employee who is aware of his/her immune status. If outbreaks of chickenpox, measles, or other acute infectious diseases occur in the school, the employee may request leave of absence without pay from the school board until the outbreak is over.
 10. All employees shall immediately file a written report with the superintendent of schools if they are exposed to AIDS-contaminated blood or body fluid during the conduct of their duties.
 11. Information concerning employees with AIDS/ARC or HTLV-III antibody shall be kept in strict confidence by school personnel.

AIDS POLICY FOR STUDENTS

1. The policy applies to all school-age children who are human Tlymphotropic virus type III antibody positive (HTLC-III) or who meet the clinical definitions of AIDS Related Complex (ARC) or AIDS Snyderome (AIDS).
2. "School-age" is defined in this policy to mean children and adolescents polaced in legally required educational settings and programs.
3. School-age children with AIDS/ARD or HTLV-III antibody will be allowed to attend the Flandreau Public School District 50-3 schools, with the written approval of the child's physician, in an unrestricted manner unless the school board documents reasons to exclude the child.
4. One or more of the following conditions may require a more restricted environment or exclusion from school for the infected school-age children.
 - a. The child is not toilet-trained or is incontinent, or otherwise is unable to control drooling;

- b. The child is unusually physical aggressive, with a documented history of biting or harming others;
 - c. The child has other medical conditions, such as uncoverable oozing sores.
5. The principal shall notify the superintendent of schools when an AIDS infected school-age child exhibits questionable behavior or other medical conditions requiring possible restricted school setting.
6. The South Dakota Secretary of Health has designated an expert Advisory Committee to evaluate each infected child on an ongoing basis. The Committee consists of five permanent members, including:
 - a. The State Epidemiologist
 - b. The Medical Officer for the South Dakota Department of Health
 - c. A representative from the South Dakota Department of Education and Cultural Affairs.
 - d. A physician with expertise in infectious diseases.
 - e. A physician with expertise in the care of AIDS patients.
 - f. Other members of the committee will be specifically assigned by the State Epidemiologist from each child and may include the child's parent or guardian, personal physician, and relevant employees from the school which the child is to be enrolled.
7. The superintendent of schools may request an evaluation by the Advisory Committee to evaluate and AIDS/ARC or HTLV-III antibody positive child who exhibits any of the exceptional conditions described above. Between the time of referral and the rendering of the valuation by the Committee, the child may be excluded from school by the superintendent of schools.
8. The State Epidemiologist will chair the Committee and will be responsible for convening the Committee. The committee's appraisal and recommendation on each child's placement will be based on:
 - a. the child's behavior
 - b. neurologic development
 - c. physical condition, and
 - d. the expected type of interaction with others in school setting
9. The Committee will weigh the risks and benefits to both the infected child and to others.
10. A school-age child with AIDS/ARD or HTLV-III antibody who is recommended by the Committee to not attend school will be provided with an education program as provided by federal and state law.

11. The child infected with AIDS virus may experience immunodeficiency and is at increased risk of experiencing severe complications from such infections as chickenpox, tuberculosis, herpes and measles. Assessment of the risk to the immuno-suppressed child of attending school in an unrestricted setting is best made by the child's parents who are aware of his/her immune status. If outbreaks of chickenpox, measles, or other acute infectious diseases occur in the school, the child may be excluded from school at the request of the parent until the outbreak is over.
12. Information concerning school-age children with AIDS/ARC or HTLV-III antibody shall be kept in strict confidence by school personnel. Only those individuals who are necessary to assure the proper care of the infected child and to detect situations in which the potential for transmission may increase will be informed of the child's condition.
13. The custodian of each building shall develop routine procedures for handling spilled body fluids, soiled surface, and cleaning equipment.

AIDS EDUCATION

Education to prevent AID's and other communicable diseases shall be presented to students on an annual basis that in grade and age appropriate. The district shall maintain an AID's education plan as a guide to instruction of this topic. In the instruction of AID's and communicable diseases, abstinence shall be presented among the options as a means of prevention.

SPONSORSHIP OF PARTICIPATION

The Flandreau School Board will sponsor and support approved programs at all levels up to but not to exceed the state level of participation or competition. All applicable policies such as conduct, supervision, and financing of participants shall be followed.

AT-RISK STUDENT MODIFICATION PROGRAM

Junior and Senior Student Program

1. Formal identification/certification or at-risk children will be made at the beginning of each semester.
2. At-risk status is determined by student advocacy committee with signed approval by the high school principal and guidance counselor.
3. At-risk certification will allow reduction from the required number of 6 classes to 5 classes per semester.

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4. At-risk certification allows student to be released from school on a daily basis to attend an approved school/work experience for junior or senior students.
5. Program must be supervised through STEP program.
6. Up to two credits will be allowed for graduation for the supervised work experience program. (One-half credit per semester).

HAZING

It is the policy of the Board of Education and school district that hazing activities of any type are inconsistent with the educational process and will be prohibited at all times. Hazing is defined as:

Doing any act or coercing another, including the victim, to do any act of initiation into any student or other organization that causes or creates a substantial risk of causing a mental or physical harm to any person. Permission, consent, or assumption of risk by an individual subjected to hazing does not lessen the prohibition contained in this policy.

No administrator, faculty member, or other employee of the school district will encourage, permit, condone, or tolerate hazing activities. No student, including leaders of student organizations, will plan, encourage, or engage in any hazing.

Administrators, faculty members, and all other employees of the school district will be particularly alert to possible situations, circumstances of events which might include hazing. If hazing or planned hazing is discovered, involved students will be informed by the discovering school employee of the prohibition contained in this policy and will be required to end all hazing activities immediately. All hazing incidents will be reported immediately to the superintendent/CEO.

Administrators, faculty members, students, and all other employees who fail to abide by this policy may be subject to disciplinary action, and may be liable for civil and criminal penalties in accordance with state law.

The contents of this policy will be distributed in writing to all students and school district employees following its official adoption by the Board of Education. In addition, this policy will be incorporated into building, employee staff meetings or inservice programs.

SUPERVISION OF STUDENTS

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

The Board expects all students to be under assigned adult supervision at all times when they are in school, on school grounds, traveling under school auspices, or engaging in school – sponsored activities. School personnel assigned this supervision are expected to act as reasonably prudent adults in providing for the safety of the students in their charge.

In keeping with this expected prudence, no teacher or other staff member will leave his assigned group unsupervised except if an arrangement has been made to take care of an emergency.

During school hours, or while engaging in school – sponsored activities, students will be released only into the custody of parents or other authorized persons. The school administration will assume that anyone who wishes to contact a student during the school day is doing so for proper reasons.

Superintendent and principals may discipline students for aggressive violent behavior that disrupts school or that affects a health or safety factor of the school or its programs.

INTERNET USER POLICY

Users of the Internet are responsible for their actions in the use of the Internet. Users have to complete the required training before they have access to it. The District cannot guarantee that you will not encounter inappropriate or offensive material on the Internet. If offensive material would cause you embarrassment or other damage, you should not use the system.

Internet Etiquette

All users of the school district's computers and networks are expected to abide by accepted rules of network etiquette. Breaches can result in harsh criticism by others on the Net and restricted access to some sources on the Internet. These rules of acceptable behavior are as follows:

1. Use of the school district's Internet access is a privilege, not a right.
2. Use of the school district's Internet is voluntary on the part of students, teachers, administrators and the community.
3. Be polite and don't become abusive to others.
4. Use appropriate language. Swearing and the use of vulgarities will not be tolerated.
5. Do not reveal your personal address or phone number or that of other students or people.
6. The electronic mail (e-mail) is not guaranteed to be private. People who operate the system have access to the e-mail. Illegal activities may be reported to the authorities.
7. Communication and information accessible via the network should be assumed to be private property.
8. Focus on one subject per message and keep paragraphs and messages short and to the point.
9. Do not place unlawful information on any network system.
10. Abbreviation when possible. For an example: FYI (For Your Information)
11. Capitalize words only to highlight an important point or to distinguish a title or heading, "Asterisks" surrounding a word can be used to make a stronger point.
12. Place your signature at the bottom of the e-mail. Your signature should include your name, position, affiliation, and Internet address.

Inappropriate Use

Inappropriate use includes, but is not limited to intentional uses that violate the law, that are specifically named as violations in this policy, that violate regulations of the school district or any other use that hampers the integrity or security of the school district's computer network or any computer networks connected to the Internet.

VIOLATION CONSEQUENCES

Transmission of any material in violation of any international, United States, or state law is prohibited. This includes, but is not limited to: copyright materials and threatening, harassing or obscene material. Use of the school district Internet access for commercial “for profit” activities or product advertisements is prohibited. Vandalism and mischief while using the school district’s Internet access is prohibited. Forgery of electronic mail messages, changing files belonging to users and downloading of any files into the school district’s computers is prohibited.

Violations of the law, through the use of the school district’s Internet access may result in disciplinary action or litigations against the offender by proper authorities.

School disciplinary action, including suspension or expulsion, and/or appropriate legal action may be taken.

1. Preliminary determination. The school administrators with the assistance of the teacher will make the initial determination of a policy violation.
2. Student due process. Violations will be accorded due process as per school district policy.
3. Internet Access. The school administration, as per school district policy disciplinary procedures, may deny, suspend, revoke and Internet access as deemed appropriate.

The student and parent/guardian must sign and return to the school the acceptable use agreement in order for the student to access the internet and network system without direct adult supervision.

SECRETARIAL AND CLERICAL STAFF

1. GENERAL REQUIREMENTS FOR EMPLOYMENT

- a. Training—The employee shall have such training and skills as may be required to successfully carry out the requirements of the job. Completion of High School is a minimum requirement.
- b. Experience—Experience shall not be a pre-requisite unless, in the opinion of the Superintendent, the position to be filled is deemed to require previous experience, or unless specifically stated as a job requirement for the particular position to be filled.
- c. Credit for Experience—An employee who has had previous experience or secretarial training beyond high school which would make them more valuable than a beginning employee may be employed at a higher salary than a beginner.
- d. Health—Members of the secretarial staff shall submit evidence of good health and observe the same rules and regulations as required of instructional employees.
- e. Work Schedule—The work week shall not exceed forty hours during the regular school year. The work day shall not exceed eight hours. The time schedule for the opening and closing of offices and departments shall be fixed by the administrator in charge. Work year shall coincide with building principal work year.
- f. Assignment and Transfers—Secretaries are subject to assignment and transfer at the discretion of the superintendent.

2. DUTIES

- a. Typing and record keeping.
- b. Command of proper spelling and punctuation.
- c. Complete bank statements are required by building principal and/or superintendent.
- d. Shall meet acceptable standards in written English.
- e. Be community minded.
- f. Social understanding and behavior.
- g. Develop relationship with the faculty, student, and community that will benefit to school.
- h. Trustworthy and honest
- i. Perform other duties assigned by building principal or superintendent.
- j. Other duties assigned by building principal or superintendent.

MAINTENANCE ENGINEER JOB DESCRIPTION

1. Keeps building and premises neat and clean at all times.
2. Regulates heater, ventilation, and air conditioning systems to provide temperatures appropriate to the season and to insure economical usage of fuel, water and electricity.
3. Shovel and/or sand walks and steps as appropriate.
4. Checks daily to insure that all exit doors are open and all panic bolts are working properly during the hour of building occupancy.
5. Raises the United States flag at or before 8:00 a.m. on each school day and lowers it at or after 3:30 p.m.
6. Sweeps classrooms daily.
7. Cleans corridors after school each day, and during the day when their conditions require.
8. Scrubs and disinfects toilet floors daily, and cleans all fixtures and drinking fountains daily.
9. Keeps windows clean on inside and outside.
10. In the absence of a grounds caretaker, keeps grounds free of rubbish.
11. In the absence of a grounds caretaker, performs yard keeping chores such as grass cutting and tree trimming to keep the school grounds in an attractive and safe condition.
12. Keeps all floors in a clean and attractive condition and in a good state of preservation.
13. Cleans all chalkboards at least once per week.
14. Makes such minor building repairs as capable.
15. Reports major repairs to superintendent.
16. Maintains on a regular schedule all motors and other mechanical equipment requiring scheduled servicing.
17. Reports immediately to the principal any damage to school property.

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18. Remains on school premises during school hours, and during non-school hours when the use of the building has been authorized and attendance is required according to the schedule.
19. Assumes responsibility for the opening and closing of the building each school day and determining, before leaving, that all doors and windows are secured, and all lights, except those left on for safety reasons, are turned off.
20. Keeps an inventory of supplies, equipment, and fuel on hand, and requisitions such needed replacements from the superintendent far enough in advance so that they may be delivered in such time as will not hinder maintenance personnel duties.
21. Conducts an ongoing program of general maintenance, upkeep and repair.
22. Moves furniture or equipment within buildings as required for various activities.
23. Receives and assists with handling incoming merchandise at the loading dock.
24. Compiles with local laws and procedures for storage and disposal of trash, rubbish and waste.
25. Maintains the building in a state that meets all state fire marshall regulations.
26. Assists with the lunch room duties and takes care of milk during lunch hour.
27. Cleans all areas as needed following athletic and other events.
28. Other reasonable duties may be assigned by the principal or superintendent.

GROUNDSKEEPER

1. Maintains and cares for school grounds.
2. Prepares seeding or transplanting beds by cultivating soil and adding fertilizer or chemicals, if needed.
3. Plants seeds, bulbs, tree seedlings, and shrubbery so that resulting growth will produce attractive appearance.
4. Experiments with different varieties of lawn seeds to determine those best suited to the soil.
5. Prunes trees and trims hedges to promote growth and improve appearance.
6. Mows lawn with hand or power mower making certain all edges and fence lines are trimmed to present a neat appearance to all grounds.
7. Connect sprinkling equipment and waters lawns and fields.
8. Inspects flowers, shrubs, and trees for evidence of insects, fungi and other pests and sprays or dust chemicals on infected areas.
9. Adjusts and repairs such equipment as lawnmowers, sprinklers, and hedge shears.
10. Shovels snow from sidewalks and driveways and spreads sand, salt or ashes to prevent slipping.
11. Collects and disposes of grass clippings, leaves and refuse.
12. Repairs outdoor chairs and benches.
13. Maintains and cleans stadium.
14. Works inside during winter on assigned custodial jobs.
15. Line all athletic fields as directed.
16. Prepare all fields for practice and participation.
17. Performs other duties as assigned by the administration.

ADMINISTRATIVE ASSISTANT

1. Assist the Superintendent/CEO in typing, keeping calendar, etc.
2. Assist the Business Manager
3. Work with the Accounting Software in entering invoices, running reports, cutting Trust & Agency checks, etc.
4. Send out checks after they have been approved by the Board.
5. Have authorization for using signature stamps.
6. Count all money from athletic events, musicals, etc., and make deposits.
7. Serves as backup to the lunch program.
8. Assists with athletic paperwork.
9. Assists with coordinating the newsletter
10. Keep an updated mailing list of all parents for the district.
11. Work with open enrollment and home school forms.
12. Submit the Personnel Record Form to the State on a yearly basis.
13. Support person for DDN Campus
14. Helps with registration
15. Run reports from Wordware on our meal program.
16. Responsible for cell phone purchasing and repairs.
17. Backup to the High School Secretary
18. Be supportive of faculty, administration, classified staff, and school in general with all communications to the public.
19. Extra reasonable duties as assigned by the Superintendent/CEO and Business Manager.

SCHOOL SECRETARY

1. Sort and distribute mail.
2. Operate the computer.
3. Type report cards, permanent record cards, and put the grades on permanent records.
4. Make and send transcripts of former and present students.
5. Keep up and do the grade point averages.
6. Type the student schedules.
7. Keep attendance and tardies of the high school students.
8. Answer all incoming phone calls and transfer them. Take messages and deliver them to students and teachers.
9. Supervise the copier (remove misfeeds, add toner, etc.).
10. Make out make-up slips and excuse slips everyday.
11. Take care of ill students.
12. Give announcements every morning.
13. Assist with registration.
14. Hand out report cards on conference days.
15. Type for high school principal.
16. Assist the public, students and teachers.
17. Try to run a smooth office in a relaxed atmosphere.
18. Mail out progress reports (mid-term).
19. Receive shipment orders in the summer and during the year (for the following year's requisitions).
20. Work day starts at 7:30 a.m. and ends at 4:00 p.m.
21. Employed for 12 months with a two-week vacation.
22. Be supportive of faculty, administration, classified staff, and school in general with all communications to the public.
23. Extra reasonable duties may be assigned by the high school principal or Superintendent.

PARAPROFESSIONAL JOB DESCRIPTION

The following job description provides a general understanding of the duties, qualifications, physical demands, experience and educational background required for paraprofessional staff and therefore duties may continually change.

DEFINITION

Under supervision, to perform a variety of instructional activities; to assist in the conduct of intensified learning experiences; to perform routine clerical and supportive tasks for instructional personnel; and to do other related work as required.

GENERAL DUTIES

- Assists instructional personnel with the presentation of learning materials and in the conduct of instructional exercises.
- Tutors individual students and small groups of students to reinforce and follow up learning activities.
- Monitors and assist students in drill, practice, and study activities as a follow-up to the presentation of instructional concepts by instructional personnel.
- Directs students in safe learning activities and functions and assists in the shaping of appropriate social behaviors.
- Assists in the management of student behavior through the use of positive strategies and techniques.
- Assists in the preparation of a variety of instructional materials and learning aids for use with individual or small groups of students.
- Maintains a variety of records and files, including confidential student records and information.
- Operates and assists students in the operation of a variety of instructional media machines and equipment.
- Administers routine first aid and assistance for non-routine injury or illness.
- Assists in maintaining and orderly, attractive and positive learning environment.
- May participate in parent conferences and other student progress report activities.
- Duties as assigned by supervising teacher or administration.

Ability to:

- Demonstrate an understanding, exhibit patience, and receptive attitude toward students of varied age groups.
- Take direction from supervising special education staff.
- Communicate effectively in oral and written form in English.
- Perform routine clerical tasks and operate a variety of educational and office related machines and equipment.
- Learn to utilize a variety of appropriate instructional materials and procedures in the enhancement of a positive educational environment.

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- Understand and carry out oral and written directions.
- Establish and maintain cooperative working relationships with students and adults.
- Effectively manage student behavior when appropriate
- Maintain confidentiality for students and staff

PHYSICAL DEMANDS

The physical requirements indicated below are examples of the physical aspects that this position classification must perform in carrying out essential job functions.

- Persons performing service in this position classification will exert 10 to 20 pounds of force frequently to lift, carry, push, pull or otherwise move objects.
- This type of work involves sitting most of the time, but may involve running, walking or standing for brief periods.
- Persons performing service in this position must be able to be outside for specified periods of time (at least 30 minutes) in all types of climate situations, including temperatures that are below zero.

EXPERIENCE AND EDUCATION

Any combination of experience and training that would likely provide the required knowledge and skill is qualifying.

Formal Education:

High School Diploma or GED

PARAPROFESSIONAL PROFESSIONAL DEVELOPMENT

Paraprofessionals will attend any full day in-service prior to the start of the school year. Paraprofessionals will be included in the Wednesday inservices.

PARAPROFESSIONAL WORK DAY

The paraprofessional work day will be 8:00 a.m. to 3:30 p.m. except on Wednesdays where it will be 8:00 a.m. to 4:00 p.m. (Adopted 5/2018)

EVALUATION OF CLASSIFIED STAFF

The development of a strong, competent classified staff, and the maintenance of high moral among this staff, are major objectives of the Flandreau School Board. Finding the right employees to fill vacancies, determining assignments and equitable work loads, establishing wage and salary policies which encourage employees to put forth their best efforts, evaluating employee achievements, and providing a good atmosphere in which to work are some of the major duties of the Board. To fulfill these duties, the Board delegates to the superintendent or his designee the responsibility to develop evaluation procedures for all classified personnel.

Classified personnel will receive written evaluations annually by the person(s) noted in this evaluation plan. Additional evaluations may be conducted as often as once a month for employees needing assistance and improvement.

Classified staff will be evaluated at least twice during the first year of employment, and at least annually thereafter.

CLASSIFIED PERSONNEL

EVALUATOR

Administrative Assistant

Superintendent/CEO, Business Manager

Classroom Aides

Building Principal

Janitors

Superintendent in cooperation with the respective building principal

Secretaries

Building Principal

The Flandreau School Board will hear an evaluate report on all classified employees prior to the issuance of work agreements for the following school year. The person(s) directly responsible for the evaluation will present the report to the Board.

EMPLOYEE CRIMINAL BACKGROUND CHECK

It is the policy of the board to only employ individuals who do not have a “disqualifying record.” Each offer of employment is subject to the provisions of SDCL 13-10-12, et seq., relating to criminal background investigations. This policy shall apply to all individuals employed for the 2000/2001 school year and thereafter, who were not employed by the district during the preceding school year. An employee is any person the district lists on its payroll and makes payroll deductions pursuant to state or federal law.

All Flandreau School District service providers having contact with children shall conduct criminal background checks meeting the requirements of this policy and certify compliance in writing to the district. The school will pay for all background checks, therefore, all background check results will remain the property of the Flandreau School District and will not be shared or disseminated to the applicant, another school district, etc. (Revised 8/2017)

Each person considered a final applicant for employment shall be provided with a memo and certification form for completion by the law enforcement agency as provided in Exhibit File GCDB-E/GDDB-E, together with fingerprint identification cards approved by the South Dakota Division of Criminal Investigation, and an envelope, postage prepaid, addressed to the South Dakota Division of Criminal Investigation, 500 East Capitol Avenue, Pierre, South Dakota 57501. The final applicant shall take the fingerprint cards, the memo and the addressed, stamped envelope to the law enforcement agency and submit to the fingerprinting process. The final applicant must also provide to the law enforcement agency a check or money order made out to the South Dakota Division of Criminal Investigation in the amount of \$39. The final applicant’s completed application will be attached to the certification of the law enforcement agency when received.

Any person granted employment subject to this policy is employed on a temporary basis conditioned upon no disqualifying report being received from the criminal background investigation. Any disqualifying record will result in immediate termination of employment without further notice or hearing. A “disqualifying record” means any conviction of a crime of violence as defined in SDLC 22-1-2(19), a sex offense as defined in SDCL 22-22-30, or trafficking in narcotics. Conviction of any crime or moral turpitude as defined by SDCL 22-1-2 (25) may constitute a disqualifying record as determined by the board on a case-by-case basis. Any criminal conviction not disclosed by an applicant may be treated as a disqualifying record. Any criminal conviction may be considered in making a hiring decision.

An applicant for employment subject to this policy shall provide to the law enforcement agency performing the fingerprint process a check or money order in an amount necessary to cover costs of the criminal record check (that amount is currently \$39). The applicant shall be reimbursed the cost for such background check in each case where no

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disqualifying record is identified, regardless of whether the applicant is employed by the district.

This policy shall not apply to persons performing services for the district under the authority of the South Dakota High School Activities Association

This policy applies to all other employment agreements, whether written or oral.