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Policy Manual	

TEMPORARY DISENGAGEMENT, SUSPENSION AND DISMISSAL

In the event of a “crisis” situation, and at the direction of the superintendent the employee will be temporarily disengaged from his/her responsibilities with pay and await further notice from the superintendent or his/her designee. This action only simplifies the situation so as to maintain a proper environment for learning and in no way imputes contributory involvement to the employee. To the extent reasonable under the circumstances, the superintendent’s decision should be rendered as to reinstatement, recommendation for suspension without pay or recommendation for discharge, within thirty (30) days of the temporary disengagement. The thirty (30) days may be extended if in the opinion of the superintendent additional time is necessary and appropriate under the circumstances. Within twenty (20) days of the disengagement the employee may submit, in writing, the employee’s version of the facts related to the incident resulting in the temporary disengagement.

Should an employee be charged with a drug related offense, he/she shall be suspended without pay pending the outcome of the criminal proceedings. Should the charges be dismissed the employee shall be reimbursed 100% of the pay the employee would have received had the employee not been suspended without pay. Should the employee be convicted for a drug related offense, the employee’s employment contract shall be terminated pursuant to SDCL 13-43. A conviction for purposes of this provision includes a suspended imposition of sentence.

Where there is reasonable suspicion of employee misconduct, the employee may be suspended with pay by the Superintendent pending an executive session hearing before the Board and a decision regarding further employment. The employee shall have full opportunity for defense against charges and to face any person who has made allegations, as allowed by the laws of the state of South Dakota. If any counsel is to be present, both the employee and the Board have the right to be represented for advice concerning legal rights and possible legal outcomes.

Legal References:

Adopted: March 11, 2016

Reviewed: 5.8.23