

Stanley County School District #57-1 Unofficial School Board Minutes

The Stanley County School District, #57-1, Board of Education met in regular session September 14, 2022, at 6:00 P.M., in the Parkview Auditorium with Board members Chris Fosheim, Shaun Cronin, Mitchell Kleinsasser and Tyler Green present. Board member DeLynn Hanson joined via telephone. Others in attendance were Superintendent Dan Baldwin and Business Manager Tate Gabriel. Visitors were Kim Doherty, Lori Gloe, Ana Tribble, Maria Scott, Jennifer Milliken, Bill Ellwanger, Terri Mehlhaff, Doug Runge, Elaine Runge, Ashley Holm, Brady Keil, Ashley Keil, Jeri Fosheim, Curt Littau, Norman Carroll, Brandy Carroll, Wyatt Johnson, Theresa Jones, Allison Bender, Stephanie Huber and Austin Goss.

Vice President Fosheim called the meeting to order at 6:00 P.M.

Fosheim led the Pledge of Allegiance.

Cronin moved to approve the agenda as published, seconded by Kleinsasser. All voted in favor. Motion carried.

Conflict of interest declaration – Kleinsasser will abstain from agenda item #29; volunteers.

Kleinsasser moved to approve the consent agenda as published, seconded by Green.

- Approve the Board meeting minutes for August 10, 2022, Regular Board Meeting.
- Approve bill listing for September 14, 2022.
- Approve Imprest expense;
- Approve financials for August 2022

All in favor. Motion carried.

Bill listing for September 14, 2022:

Fund Number	10	GENERAL FUND	
ALL AROUND GRAPHICS		SC Awards	2,383.25
ASSOCIATED SCHOOL BOARDS OF SD		SASD Convention fees	1,225.00
BAUMANN LUMBER		Office Door	517.90
BEST WESTERN PLUS -- SX. FLS.		SDACTE Summer Conference	769.93
BORNS GROUP		Tri-Fold Game Schedules	431.00
CAPITAL JOURNAL		Publication of Minutes	621.89
CAPITOL AREA REFUSE LLC		Garbage Services	435.92
CATLIN'S CAR CLINIC, INC.		Vehicle Maintenance	1,552.71
CENTAR INDUSTRIES		Number Plates/Paint	138.60
CENTURY BUSINESS PRODUCTS		Print Management	986.05
CHANDLER'S		Window Repair	174.00
COCA COLA BOTTLING CO.		Credit Memo	2,138.84
COLE PAPERS		Custodial Supplies	3,805.35
DK HARDWARE		Maintenance Supplies	176.60
DON'S SINCLAIR		Concessions	692.62

EVERYTHING TRACK AND FIELD	Track Supplies	1,190.15
FLOYDS TRUCK CENTER	Vehicle Maintenance	485.31
FORT PIERRE, CITY OF	Utilities	6,748.06
GOLDEN WEST TELECOMMUNICATIONS	Communications	119.64
GRAINGER	Maintenance Supplies	938.09
HIGH POINT NETWORKS	Mitel Renewal	2,416.00
IMPACT SCHOOLS OF S. D.	IMPACT of SD Dues SY22-23	2,684.14
INNOVATIVE OFFICE SOLUTIONS	Technology Supplies	2,892.53
IXL LEARNING, INC.	IXL Site License	4,250.00
JC OFFICE SUPPLY	Office Supplies	40.00
JOHNSON CONTROLS FIRE PROTECTION LP	Sprinkler System Inspection	1,315.38
JW PEPPER	Music Supplies	288.57
KAMI, NOTABLE, INC.	District License Renewal	1,620.00
LIFE'S GREAT MOMENTS	Professional Services	1,292.66
LYNN'S DAKOTAMART	Inservice Supplies	528.94
MCLEOD'S PRINTING/SUPPLY	Receipt Books	375.95
MENARDS PIERRE	Maintenance Supplies	738.26
MEYERS, DEREK	Supplies Reimbursement	35.47
MIDCONTINENT COMMUNICATIONS	Communications	908.67
MONTANA DAKOTA UTILITIES	Utilities	212.72
NAPA CENTRAL	Vehicle Supplies	22.09
NYSTROM ELECTRICAL	Electrical Issue	390.31
O'CONNOR COMPANY	Maintenance Supplies	2,420.60
PAINT STORE INC, THE	Maintenance Supplies	1,187.50
PIERRE SOLID WASTE	Garbage Services	18.85
QUADLENT LEASINIG USA, INC.	Postal Machine Rental	261.00
QUALITY QUICK PRINT	Signature Stamp	52.40
REINHART FOOD SERVICE, LLC	Purchase Food	1,812.40
RIVER BOTTOM SANITATION	Garbage Services	900.00
RIVER CITY TRANSIT	Transportation	320.00
ROBIN'S WATER CONDITIONING	Kitchen Salt	29.70
RUNNINGS	Maintenance Supplies	320.93
SCHOLASTIC MAGAZINES	Elementary Periodicals	1,147.62
SCHOOL OUT FITTERS	Girls Basketball Supplies	1,097.95
SCHOOL SPECIALTY, INC.	Office Supplies	2,155.83
SD DEPT. OF CORRECTIONS	Maintenance Services	785.45

SHERATON INN/HOTEL	ASBSD Conference	1,290.00
STANLEY COUNTY SCHOOL	AUGUST 2022 IMPREST	3,959.77
TRAINING ROOM INC.	Training Room Supplies	1,482.36
VERIZON WIRELESS	Wireless	80.02
WEGNER AUTO CO., INC.	Vehicle Maintenance	74.14
WEST CENTRAL ELECTRIC	Utilities	100.73
WHEELHOUSE PLUMBING, INC.	Professional Services	105.00
WR/LJ RURAL WATER	Utilities	57.50
WW TIRE SERVICE	Vehicle Maintenance	429.13
Fund Number 10		65,631.48
CAPITAL OUTLAY		
BUMP ARMOR, MOHAWK USA	Technology Supplies	1,092.67
CENTURY BUSINESS PRODUCTS	Print Management	1,076.01
COUNTRY CARPET & FLOORING	Chorus Room Blinds	468.00
INNOVATIVE OFFICE SOLUTIONS	Annual PV Gym Floor Finish	4,400.00
LENOVO FINANCIAL SERVICES	Laptop Lease Renewal	27,668.91
MCGRAW-HILL, LLC	History Curriculum	4,463.56
MIDWEST CONSTRUCTION INC	Install New Ceiling Tile	13,887.62
NYSTROM ELECTRICAL	LED Bulbs	9,387.00
PAINT STORE INC, THE	Bleacher Paint	288.00
RENAISSANCE LEARNING, INC	Accelerated Reading Subscriptions	5,776.25
SNO ENVIRO INC.	Asbestos Removal	20,291.55
SUPERIOR CONCRETE	Sidewalk Repair	34,274.90
VANTAGE FINANCIAL, LLC	Telephone Lease	780.00
Fund Number 21		123,854.47
SPECIAL EDUCATION		
22X	Professional Services	5,164.36
22X	Professional Services	3,037.20
FUN AND FUNCTION	Sensory Supplies	618.39
LAKESHORE BASICS & BEYOND	Classroom Supplies	36.99
N2Y, LLC	Unique Learning System	1,448.01
RIVER CITY TRANSIT	Transportation	221.00
SCHOOL SPECIALTY, INC.	Classroom Supplies	708.51
Fund Number 22		11,234.46
FOOD SERVICE		
BERNARD FOOD INDUSTRIES INC	Purchase Food	1,556.74
EARTHGRAINS BAKING COMPANIES INC	Purchase Food	225.65
LYNN'S DAKOTAMART	Office Supplies	13.30

MARSHALL, SHELBY	Refund Meal Program Balance	69.95
PRAIRIE FARMS	Purchase Food	1,092.82
REINHART FOOD SERVICE, LLC	Purchase Food	9,735.53
SERVALL UNIFORM & LINEN	Professional Services	249.97
Fund Number 51		12,943.96
Checking Account ID 1		213,664.37
AGENCY FUND		
ALL AROUND GRAPHICS	Cheer Jacket Embroidering	170.59
AUGUSTANA COLLEGE	TWILIGHT XC MEET - STANLEY COUNTY	120.00
BP BUSINESS SOLUTIONS	JG402 8/21/22	1,125.09
CARDA, MIKE	FB OFFICIAL VS DUPREE 9/2/22	125.00
CLARK, MATTHEW	FB OFFICIAL VS DUPREE 9/2/22	125.00
DRAGESET, TERI JEAN	REIMB FOR NFHS COURSES	70.00
GABRIEL, TATE	REIMB FOR NFHS COURSES	70.00
GETTYSBURG HIGH SCHOOL	MS/JV FB ENTRY FEE	50.00
HUBER, STEPHANIE	REIMB FOR NFHS COURSE	35.00
HUIZENGA, RYAN	FB OFFICIAL VS DUPREE 9/2/22	125.00
IPSWICH SCHOOL DISTRICT	XC ENTRY FEE - STANLEY COUNTY	45.00
KELLY, CHELSEY	REIMB FOR NFHS COURSES	70.00
MARTS, ED	VOLLEYBALL TRI - SC/WR/LW - 9/3/22	150.00
MCMACKEN, RYAN	REIMB FOR NFHS FIRST AID, HEALTH & SAFE	35.00
MENARDS PIERRE	Student Council Supplies	79.89
MIDWEST FUNDING LLC	Community Cards	6,166.19
MOBRIDGE - POLLOCK SCHOOL DISTRICT	VOLLEYBALL ENTRY FEE	90.00
PIETZ, DOUG	FB OFFICIAL VS DUPREE 9/2/22	125.00
QUALITY INN - ABERDEEN	Girls Basketball Camp	368.00
QUINN, ELIZABETH	REIMB FOR NFHS COURSES	70.00
SIEH, BRIAN	VB TRIANGULAR - SC/WR/LW - 9/3/22	225.60
STOBBS, WADE	FB OFFICIAL VS DUPREE 9/2/22	224.54
SUPERIER CHEER	Cheerleading Jackets	349.93
TIN ARROW	Volleyball T-Shirts	1,054.00
UNIVERSITY OF OREGON	SWIS/CICO License	460.00
Fund Number 17		11,528.83
Checking Account ID 2		11,528.83

Financials for August 2022

	General Fund	Capital Outlay	Special Ed	Pension
Balance 8-1-2022	-117,299.15	3,746,142.32	1,479,707.11	0.00
County Revenue	0.00	0.00	0.00	0.00
Local Rev & Bank Int	28,713.74	6,675.89	3,839.78	0.00
State/Fed Revenue	125,658.83	0.00	0.00	0.00
Accounts Payable	-51,254.10	-90,165.21	-6,935.45	0.00
Payroll	-259,360.83		-43,535.66	0.00
Misc	0.00	0.00	0.00	0.00
Balance 8-31-2022	-273,541.51	3,662,653.00	1,433,075.78	0.00

	Impact Aid	Food Service	Enterprise Fund	Fiduciary Funds
Balance 8-1-2022	2,896,781.54	16,579.76	31,292.85	121,487.69
County Revenue	0.00	0.00	0.00	0.00
Local Rev & Bank Int	334.84	7,522.03	0.00	10,086.79
State/Fed Revenue	0.00	0.00	0.00	0.00
Accounts Payable	0.00	-255.55	0.00	-4,401.43
Payroll	0.00	-2,350.06	0.00	0.00
Misc	0.00	1,159.00	0.00	0.00
Balance -31-2022	2,897,116.38	22,655.18	31,292.85	127,173.05

Detail is available at the Business Office in Parkview Auditorium

First reading of Amending Policy BDDH: Public Participation at Board Meetings. A brief discussion was held.

Public comment – Austin Goss spoke.

Bill Ellwanger presented on the Fallen Buffaloes Memorial Scholarship.

A discussion was held regarding homecoming.

Cronin moved to adopt Policy GCBDC: Jury Duty, as presented, seconded by Kleinsasser. All in favor. Motion carried.

Green moved to adopt Policy GCBDD: Military Leave, as presented, seconded by Kleinsasser. All in favor. Motion carried.

Cronin moved to adopt Policy GCBDE: Family and Medical Leave, as presented, seconded by Green. All in favor. Motion carried.

Kleinsasser moved to adopt Policy GCBDE: Family and Medical Leave – Procedures (Regulation), as presented, seconded by Cronin. All in favor. Motion carried.

Green moved to adopt Policy GCBDF: Nursing Mothers, as presented, seconded by Kleinsasser. All in favor. Motion carried.

First reading of Policies GCD: Professional Staff Hiring; Policy GCF: Hiring Retired Employees; GCPA: Reduction in Professional Staff Work Force; Policy GCPB: Resignation of Professional Staff Members; Policy GCPC: Retirement of Professional Staff Members.

Kleinsasser moved to table Policy GCN: Professional Teaching Staff Evaluation until after negotiations, seconded by Cronin. All in favor. Motion carried.

Kleinsasser moved to appoint Shaun Cronin as Superintendent to lead the completion of the multi-purpose building, seconded by Hanson. Cronin abstained. All others in favor. Motion carried.

Cronin moved to amend the adult meal price for lunch for the 2022-2023 school year from \$4.00 to \$4.85 per USDA regulations, seconded by Kleinsasser. All in favor. Motion carried.

Cronin moved to approve Resolution #1-2023 adopting the updated budget to be the Annual Budget for the fiscal year July 1, 2022 through June 30, 2023 and approved the requested tax levies, seconded by Kleinsasser.

RESOLUTION #1-2023: Let it be resolved that the School Board of the Stanley County School District #57-1, after duly considering the proposed budget and its changes thereto, to be published in accordance with SDCL 13-11-2 hereby approves and adopts its proposed budget and changes thereto, to be its Annual Budget for the fiscal year July 1, 2022 through June 30, 2023. The adopted annual budget levy requests are as follows:

TAX LEVY REQUEST

General Fund	\$ 1.362 / per \$1,000 of Agriculture \$ 3.048 / per \$1,000 of Owner Occupied \$ 6.308 / per \$1,000 of Other/Non Ag
Special Education Fund	\$1.599 / per \$1,000 of Total Valuation

TAX DOLLAR REQUEST

Capital Outlay Fund	\$1,714,823.00
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A brief discussion was had on the Capital Outlay Plan. The Buildings and Grounds committee will meet with Baldwin and Gabriel.

Elementary Principal, Terri Mehlhaff, updated the board on the happenings in the elementary. Mehlhaff thanked the elementary staff for their hard work, pulling together, and helping as needed while we are still short staffed. Mehlhaff reported that we currently have 191 students JK-5 which was up six from last month and eight students at Cheyenne. Curt Littau, MS/HS Principal, reported that the leadership committee have begun to implement the AR program. The leadership committee consists of Mrs. Swanson, Ms. Quinn, Ms. McKeever, and Mr. Bonhorst. Littau met with the SAT team which is chaired by Mrs. Merrill. Superintendent Baldwin reported that Jim Holbeck will be coming for a board training on November 2nd. Baldwin also reported that the concession stands have been covered for all the sporting events for the year and reminded the board that he will be traveling to the Impact Aid conference in Washington D.C. September 17th – 21st.

Cronin moved to declare the Board in Executive Session for SDCL 125-2 (1) Personnel, (2) Student Matters at 7:17 P.M., seconded by Kleinsasser. All voted in favor. Motion carried.

Fosheim declared board back in open session at 7:51 P.M.

Cronin moved to authorize Business Manager to offer Hayden Schmautz a Letter of Intent as Temporary Part-Time Maintenance in the amount of \$12.00 per hour for the 2022-2023 school year, seconded by Green. All voted in favor. Motion carried.

Kleinsasser moved to approve land change for Ashley Holm from BA+16 to MASTERS in the amount of \$2,800.00 effective for the 2022-2023 school year, seconded by Cronin. All voted in favor. Motion carried.

Cronin moved to approved Barbara Kleinsasser as an elementary volunteer for the 2022-2023 school year, seconded by Green. Kleinsasser abstained. All others voted in favor. Motion carried.

Green moved to approve Open Enrollment application numbers 572223028, 572223029, 572223030, 572223031, and 572223032, seconded by Kleinsasser. All voted in favor. Motion carried.

Cronin moved to adjourn meeting at 7:54, seconded by Green. All in favor. Motion carried.

DeLynn Hanson, President

Tate Gabriel, Business Manager

Approved:

Policy BDDH: PUBLIC PARTICIPATION AT BOARD MEETINGS

Status: SUBMITTED

Original Adopted Date: 07/13/2022 | Last Reviewed Date: 09/09/2022

The School Board recognizes and respects the input which may be provided by the public on school district matters. The Board also recognizes and respects the distinction between a school board meeting that is open to the public and a public hearing held by the school board.

- At a school board meeting which is open to the public, members of the public may be present, observe and listen to the school board conduct its business and may speak during the school board meeting consistent with this policy.
- At a public hearing held by the school board, there is usually one topic presented by the District and discussed. The public is given the opportunity to speak and be heard on the topic which is the reason for the public hearing. This type of meeting allows for public participation under the rules designed specifically for that meeting and is not subject to this policy.

This policy applies only to regularly scheduled school board meetings held in open session. Matters addressed in executive session pursuant to SDCL 1-25-2 are not open to the public.

Complaints against school employees or students, and complaints related to sexual harassment or bullying, must be addressed according to specific School District policies before being addressed by the School Board.

When a complaint against a school employee or a student is brought to the Board during a public forum, the Board President/Chairperson will direct the person bringing the complaint to the applicable complaint procedure. The complaint procedures are designed to ensure the proper balance in protecting the rights of the person(s) bringing the complaint and the rights of the person against whom the complaint is made. The Board will address the complaint only if the matter has been appealed to the Board pursuant to the applicable complaint policy.

Persons making references to a specific school employee or employees, or a specific student or students during the public forum should be mindful that based upon what the person says during the public forum, the employee(s) or student(s) about whom the comments are made may have legal recourse against the person voicing the complaint.

Persons speaking during the Public Forum at a school board meeting shall not cause public inconvenience, annoyance, or alarm to the school board or any person, and shall not engage in threatening behavior, make unreasonable noise, be disruptive, boisterous, argumentative, or threatening, shall not make comments which are disrespectful to one or more persons, and shall not use profanity.

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

1. Agenda and Non-Agenda Items:

- a. Before the meeting is called to order, an individual who desires to speak at a school board meeting must verbally or in writing inform the Superintendent, the Business Manager or the Board President of the person's desire to speak and the topic upon which the person intends to speak. The requesting party must sign a form (prepared by the school district) with their name, address, email and topic to be addressed **by 4:00 pm, two days** prior to the board meeting.
- b. During the time designated for Public Forum, the Board President will recognize the person who signed up to speak and the person may speak on the topic according to the rules set forth in this policy.
- c. A speaker shall be granted 5 minutes to present comments to the school board. Upon receiving a request for an extension of time from the speaker, the school board, upon a motion being made and passed by a majority of school board members present and voting, may grant an additional amount of time not to exceed 5 minutes. Additional extensions may be granted only upon a two-thirds vote of school board members present and voting.
- d. Should a number of persons wish to address the school board on the same agenda item, or should the comments become repetitious, the School Board President, in the President's sole

discretion, may shorten the time for comments to two minutes per person in order that persons wishing to address the school board may be heard and still allow the school board sufficient time to conduct its agenda business.

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

- a. Any person or delegation (with one person being the spokesperson for the delegation) making a specific request to the school board which would require formal action by the school board must present a written request to the Superintendent for the item to be placed on the school board's proposed meeting agenda.
- b. The specific request to add an item to the agenda shall clearly identify what is being requested and why, signed by the person making the request, and include the person's name, address, email and telephone number.
- c. The Superintendent will forward the request to the School Board President and the Board President will decide whether the item will be placed on the proposed agenda. Whether any item is to be addressed at the school board meeting is determined by a majority of school board members at the beginning of the school board meeting when the school board adopts the proposed agenda as printed or adopted after being modified.
- d. At the sole discretion of the school board, requests to the school board for specific action submitted after the proposed agenda has been posted may be:
 - Deferred until the next regular meeting or a special school board meeting, or
 - added to the meeting agenda for discussion purposes only, or
 - added to the agenda for discussion and possible action.

3. Authority of Presiding Officer:

The Board vests in its presiding officer the authority to terminate the right of any person to speak at the end of the time granted pursuant to provision 1.d, provision 1.e. or provision 2.d. as set forth in this policy. The presiding officer may also terminate the right of a person to speak at a school board meeting should the person cause public inconvenience, annoyance, or alarm to the school board or any person, engage in threatening behavior, make unreasonable noise, disturb or be disruptive to an official school board meeting, or when comments are disrespectful to one or more persons, boisterous, argumentative, threatening, or contain profanity.

If deemed necessary by the presiding officer, the presiding officer may contact local law enforcement to have a person removed from the school board meeting as it is a violation of the law for a person to intentionally cause or create a risk of serious public inconvenience, annoyance, alarm or disturbance at a school board meeting.

Policy GCBDC: JURY DUTY

Status: DRAFT - 2nd
Reading

Original Adopted Date: Pending | **Last Reviewed Date:** 08/12/2022

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

Policy GCBDD: MILITARY LEAVE

Status: DRAFT - 2nd
Reading

Original Adopted Date: Pending | Last Reviewed Date: 08/29/2022

Employees of the District who qualify under the Uniform Employment and Reemployment Rights Act (USERRA) shall receive all leave, benefits and protections afforded by that Act. Employees requesting military leave will provide notice and documentation to the District as required by USERRA. An employee shall be granted military leave for service in the uniformed services of the United States, upon receipt of the required notice. Benefits shall be maintained for these employees as required by law and any applicable collective bargaining agreement. A service member who returns to the District for work following a period of active military duty must be reinstated to the same or similar position and at the same rate of pay unless otherwise provided by law. Reemployment of a person is excused if an employer's circumstances have changed so that reemployment of the person would be impossible or unreasonable. A reduction-in-force that would have included the person would be an example.

USERRA requires that service members provide advance written or verbal notice to their employers for all military duty unless giving notice is impossible, unreasonable, or precluded by military necessity. An employee should provide notice as far in advance as is reasonable under the circumstances. All requests for military leave will be submitted to the Superintendent or Superintendent's designee accompanied by copies of the proper documentation showing the necessity for the military leave request.

To qualify for USERRA's protections, a service member must be available to return to work within certain time limits. These time limits for returning to work depend (with the exception of fitness-for-service examinations) on the duration of a person's military service.

1. If the length of service was 30 days or less, the person must report to the District by the beginning of the first regularly scheduled work period that begins on the next calendar day following completion of service, after allowance for safe travel home from the military duty location and an 8-hour rest period.
2. If the length of service was 31 days to 180 days, an application for reemployment must be submitted to the employer no later than 14 days after completion of a person's service. If submission of a timely application is impossible or unreasonable through no fault of the person, the application must be submitted as soon as possible on the next day when submitting the application becomes possible.
3. If the length of service was 180 days or more, an application for reemployment must be submitted to the employer no later than 90 days after completion of a person's military service.
4. Disability-related service: The reporting or application deadlines are extended for up to two years for persons who are hospitalized or convalescing because of an injury or illness incurred or aggravated during the performance of military service. The two-year period will be extended by the minimum time required to accommodate a circumstance beyond an individual's control that would make reporting within the two-year period impossible or unreasonable.
5. Unexcused Delay: A person's reemployment rights are not automatically forfeited if the person fails to report to work or to apply for reemployment within the required time limits. In such cases, the person will be subject to the employer's established rules governing unexcused absences.

Individuals performing military duty of more than 30 days may elect to continue employer sponsored health care for up to 24 months; however, the individual is required to pay 100 percent of the full premium. For military service of less than 31 days, health care coverage is provided as if the service member had remained employed. South Dakota Retirement System shall be done pursuant to USERRA and SDRS requirements.

Policy GCBDE: FAMILY AND MEDICAL LEAVE

Status: DRAFT - 2nd
Reading

Original Adopted Date: Pending | **Last Reviewed Date:** 08/12/2022

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

Regulation GCBDE-R(1): FAMILY AND MEDICAL LEAVE - PROCEDURES (Regulation)

Status: DRAFT - 2nd
Reading

Original Adopted Date: Pending | Last Reviewed Date: 08/12/2022

REASONS

In compliance with the Family and Medical Leave Act of 1993 and under procedures developed by the Superintendent, leave shall be granted to eligible employees for the following reasons:

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

NOTICES AND DEADLINES

- Employees who may be eligible for or who request leave for any of the above reasons shall be provided an FMLA notice of eligibility and rights and responsibilities. Requests for family and medical leave should be made in writing but verbal requests may be made to the immediate supervisor or other designated administrator who shall then document the request. The District may require that a request for leave be supported by a certification for health care or military-related situations as permitted by federal law, but such requirements must be set out in the required notice.

Deadline for Notice to be Provided: Absent extenuating circumstances, within five (5) business days of District receipt of a request or the District being made aware of a potentially qualifying reason.

- The District shall designate an employee's leave, paid or unpaid, as FMLA-qualifying and shall provide a designation notice indicating whether the request is approved or if additional information is needed. Leave may be delayed if the employee does not provide proper notice (30 days advance notice for a foreseeable leave); otherwise, notice as soon as the need becomes known).

Deadline for Notice to be Provided: Absent extenuating circumstances, within five (5) business days of learning that an FMLA reason supports the leave.

ELIGIBILITY

Employees are eligible for up to twelve (12) workweeks of family and medical leave each school year, if they have been employed by the District for twelve (12) months, have worked at least 1,250 hours during the twelve (12) months preceding the start of the leave, and otherwise qualify for family and medical leave. When family and medical leave is taken to care for a service member's recovery from a serious illness or injury sustained in the line of duty, an eligible employee may take up to twenty-six (26) workweeks of leave during a single twelve-month period.

Full-time teachers are presumed to have worked at least 1,250 hours during a school year. In determining whether returning veterans meet the minimum 1,250 hour standard, hours actually worked for the District during the twelve-month period are to be combined with hours they would have worked for the District had they not been called for military service.

In situations involving both the Americans with Disabilities Act (ADA) and FMLA, the District shall apply the law affording the employee the greater benefit.

RESTRICTIONS

To the extent that an employee is entitled to any paid leave, such leave shall be taken and it shall run concurrently with family and medical leave, except that the employee may request to reserve ten (10) days of sick leave. (This requirement shall not apply to employees taking workers' compensation leave.) However, when an employee's work-related injury/medical state qualifies as a serious health condition, worker's compensation leave shall run concurrently with the twelve (12) work week entitlement.

Paid leave used by the employee as required under this policy shall count, as applicable, against the twelve (12) or twenty-six (26) FMLA workweek entitlement.

Entitlement to family and medical leave for the birth and care of a newborn child or placement of a child shall expire twelve (12) months after the date of such birth or placement.

When both husband and wife are employed by the District, the combined amount of family and medical leave for reasons other than personal illness or illness of a child shall be limited to twelve (12) workweeks. In cases of personal illness or illness of a child, each spouse is entitled to twelve (12) workweeks of family and medical leave.

Exception: The limit on the combined amount of family and medical leave shall be twenty-six (26) workweeks when both an eligible husband and wife are employed by the District and are eligible for leave that involves a covered Armed Forces service member.

Depending on the date family and medical leave is to begin, instructional employees as designated by federal regulation may be required to continue on leave until the end of the school term to avoid disruption.

Unused family and medical leave shall not accumulate from year to year.

INTERMITTENT LEAVE / REDUCED HOURS

Family and medical leave may be taken intermittently (when medically necessary) or on a reduced hours basis.

CONTINUATION OF BENEFITS

While on family and medical leave, employees shall be entitled to all employment benefits accrued prior to the date on which the leave commenced. Health insurance for an employee on family and medical leave shall continue to be provided by the state on the same basis had the employee not taken leave. Other employment benefits and seniority shall not accrue during unpaid family and medical leave.

RETURN TO WORK

As noted by the required notice of eligibility and rights and responsibilities when family and medical leave is taken due to an employee's own serious health condition, the employee shall provide fitness-for-duty certification before returning to work. This may include certification by the health care provider that the employee is able to perform essential functions specific to the job, as noted by the District in a list attached to the certification form.

Upon return to work, the employee shall be entitled to his/her same position (or an equivalent position with equivalent pay) with corresponding benefits and other terms and conditions of employment.

NOTICE

The District shall notify employees of family and medical leave provisions by posting appropriate notices in conspicuous places in the Central Office and each worksite and distributing notices as required by law.

Policy GCBDF: NURSING MOTHERS

Status: DRAFT - 2nd
Reading

Original Adopted Date: Pending | Last Reviewed Date: 08/12/2022

The District recognizes that breastfeeding is the most healthful, natural and economic method of infant nutrition, and it is the policy of the District to support the needs of breastfeeding mothers when they return to work.

1. Maternity leave planning will address the transition from full-time maternity leave to full-time work and the impact that this may have on breastfeeding. Generally, maternity leave is a sufficient time to establish breastfeeding. Factors to consider include a combination of full-time and part time maternity leave, a flexible work schedule to accommodate breastfeeding needs, and break times to use a breast pump at work.
2. Breastfeeding employees are allowed a flexible schedule for nursing or pumping, with the schedule to be determined by the employee and employee's supervisor. The schedule requested by the employee will be approved unless the employee's supervisor has determined, in writing, that the requested schedule would impose an undue hardship by causing the District significant difficulty or expense when considered in relation to the size, financial resources, nature, or structure of the school district. Factors to determine when considering the schedule as proposed by the employee include, but are not limited to the following: the time requested would exceed the normal time allowed for lunch, breaks, student responsibilities at the time requested, sick/personal and annual leave, and adjustment of normal work schedule.
3. The District shall provide an appropriate room, other than a bathroom, for an employee to express breast milk where;
 - a. nursing women can nurse an infant brought in during lunch or breaks;
 - b. nursing women can pump breastmilk to be stored for later use. (Each employee is responsible for proper storage of her milk using a personal storage cooler);
 - c. the area for breastfeeding or pumping is located where a crying infant will not be disruptive to other employees;
 - d. accessible electrical outlets for electric breast pump use and a sink close by with a clean, safe water source for hand washing and rinsing out breast pump equipment; and
 - e. a comfortable chair and a table or desk is available for pumping;

Notes:

1. *Districts that employ less than 50 employees are not subject to the requirements in (#3) if such requirements would impose an undue hardship by causing the District significant difficulty or expense when considered in relation to the size, financial resources, nature, or structure of the District's business.*
2. *Section 7 of the Fair Labor Standards Act (29 U.S.C. 207) states the following:*
 - (r)(1) *An employer shall provide-*
 - A. *a reasonable break time for an employee to express breast milk for her nursing child for 1 year child for 1 year after the child's birth each time such employee has need to express the milk; and*
 - B. *a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by an employee to express breast milk.*
 - (2) *An employer shall not be required to compensate an employee receiving reasonable break time under paragraph (1) for any work time spent for such purpose.*
 - (3) *An employer that employs less than 50 employees shall not be subject to the requirements of this subsection, if such requirements would impose an undue hardship by causing the employer significant difficulty or expense when considered in relation to the size, financial resources, nature, or structure of the employer's business.*
 - (4) *Nothing in this subsection shall preempt a State law that provides greater protections to employees than the protections provided for under this subsection.*

Policy GCD: PROFESSIONAL STAFF HIRING

Status: DRAFT - 1st
Reading

Original Adopted Date: Pending | Last Reviewed Date: 09/07/2022

All professional staff members of the district will be employed by the Board upon the recommendation of the Superintendent. Should a person nominated by the Superintendent be rejected by the Board, it will be the Superintendent's duty to make another nomination.

The Superintendent will assure that all persons nominated for employment meet state certification requirements and the qualifications established for the particular position.

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

All candidates will be considered on the basis of their merits, qualifications, and the needs of the district. In each instance, the Superintendent and others playing a role in the selection will seek to hire the best-qualified person for the job.

Upon approval by the Board, a teacher will receive a written contract to be signed by the teacher, Board president, and school district business manager.

Policy GCF: HIRING RETIRED EMPLOYEES

Status: DRAFT - 1st
Reading

Original Adopted Date: Pending | **Last Reviewed Date:** 09/07/2022

The school board believes employing high quality personnel is the most effective way to provide students with a high quality education. As part of the district's efforts to employ highly qualified personnel, the district may employ retired individuals who receive benefits from the South Dakota Retirement System (SDRS).

If any retired individual seeking employment was most recently employed by the district, the following conditions shall be applied to the hiring process:

1. No formal or informal reemployment agreement of any kind shall exist between the district and any employee;
 2. The district shall follow all retiree return-to-work procedures and time lines required by state and federal law; and
 3. The district shall follow all policies and procedures governing the hiring of new employees.
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Policy GCN: PROFESSIONAL TEACHING STAFF EVALUATION

Status: DRAFT - 1st
Reading

Original Adopted Date: Pending | Last Reviewed Date: 09/07/2022

In order to assure a high quality of teacher performance to advance the instructional programs of the district schools, a program for teacher evaluation will be utilized.

Teachers will be evaluated at least once each semester during the first three years of their contract. Teachers in their fourth contract year or beyond will be evaluated at least once every year.

When evaluating teachers in the District, all of the State of South Dakota minimum evaluation requirements and aligned with the Danielson framework shall be used by the District. However, if approved by the South Dakota Department of Education, the District may (a) use a model of professional practice other than the Danielson framework to evaluate its teachers and (b) choose not to use student learning objectives (SLO) as a measure of student growth. If the Board chooses to use the options provided in § 24:57:02:03, it must apply on forms provided by the department, which must be received by the Department by January 31st before the school year in which the district intends to implement the alternative evaluation model.

The evaluation process is based on the minimum professional performance standards established by the South Dakota Department of Education and which:

- evaluates teachers using multiple measures;
- serves as the basis for programs to increase professional growth and development of teachers; and
- includes a plan of assistance for any teacher in his or her fourth year or more of teaching whose performance does not meet the district's performance standards.

The formal evaluations will be written and will be discussed by the evaluator and the teacher. Copies of the written document will be signed and dated by both parties and incorporated into the personnel files of the teacher. The signature of the teacher does not indicate approval or disapproval of the evaluation, but that the evaluation has been read and discussed.

Pursuant to state law, any record or document, regardless of physical form, created by the District in connection with the evaluation of certified staff constitutes personnel information and is not open to inspection or copying.

Nothing in a teacher's evaluation may diminish the School Board's right to renew or not renew a teacher's contract.

The Board acknowledges that the evaluation procedure is a subject of mandatory bargaining with the teachers' recognized bargaining unit representative. However, the establishment and identification of the evaluation criteria is not subject to mandatory bargaining and the Board has the sole authority for establishing such evaluation criteria, subject to any applicable state and federal laws and regulations that may limit such authority.

Policy GCPA: REDUCTION IN PROFESSIONAL STAFF WORK FORCE

Status: DRAFT - 1st
Reading

Original Adopted Date: Pending | Last Reviewed Date: 09/07/2022

STAFF REDUCTION

Staff reduction occurs when the Board eliminates all or part of an existing position held by anyone to whom continuing contract rights apply. In the event the Board determines that a staff reduction is necessary, the following guidelines will be considered:

1. An effort will be made to effect the reduction through normal attrition. The Education Association will be notified and group recommendations considered if received within 14 days of issuance of the notice.
2. Positions held by persons with less than full certification for their current teaching assignment will be open to a properly certified and experienced continuing contract teacher who has been notified that his or her position has been eliminated and has requested to be considered.
3. If a position of a continuing contract teacher is eliminated due to staff reduction, the Board will determine which continuing contract teacher or teachers are to be released, considering the following criteria, as applicable. The criteria are not in rank order of importance:
 - a) Student and curriculum needs;
 - b) Prior evaluations;
 - c) Competency;
 - d) Qualifications;
 - e) Certification;
 - f) Experience in the area to be taught;
 - g) Educational background;
 - h) State and federal mandates;
 - i) Administrative recommendation.

The continuing contract teacher who has been notified that his or her position has been eliminated shall notify the Board of any positions for which the teacher wishes to be considered and can establish required qualifications.

The Board will follow the provisions of state law in making staff reductions involving professional staff members on continuing contract status.

RECALL

For the purpose of this policy, the effective date of a lay-off by reduction in force shall be June 30. The teacher subject to reduction in force termination shall provide a list of positions for which the teacher wishes to be considered and is qualified to fill. If, during the first fiscal year subsequent to the lay-off, a vacancy occurs in the grade, subject area, and activity for which a laid-off teacher, wishes to be considered, an offer of re-employment shall be extended to the teacher, subject to interview and updated background check. When more than one staff member has the same recall date for the open position, the Board may consider, among other things, the matters identified in paragraph three of this policy.

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

Policy GCPB: RESIGNATION OF PROFESSIONAL STAFF MEMBERS

Status: DRAFT - 1st
Reading

Original Adopted Date: Pending | Last Reviewed Date: 09/07/2022

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

Notes: The Board may determine the liquidation fee required to release the staff member from his contract. Generally, this is in an amount between \$200 and \$500.

Policy GPC: RETIREMENT OF PROFESSIONAL STAFF MEMBERS

Status: DRAFT - 1st
Reading

Original Adopted Date: Pending | **Last Reviewed Date:** 09/12/2022

RETIREMENT SYSTEM

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

RETIREMENT AGE

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

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

At the time of retirement, employees will receive \$5 an hour for any unused sick leave they have acquired up to 680 hours total.

OPTION TO CONTINUE WHOLE HEALTH COVERAGE FOR RETIREES

If you are an eligible retired employee, you may continue in the group health coverage or a retiree health benefits program offered by the school district and available to age 65.

Covered dependents can continue for as long as they remain qualified dependents. For more information, call the personnel office of the district.

Qualified dependents include your spouse, if not divorced or legally separated from you, and your children up to age 26.

Continuation of coverage may be terminated or denied for any of the following reasons:

1. Coverage under another health plan is acquired;
 2. The contribution for continuation coverage is not paid on time;
 3. Entitlement or enrollment in Medicare;
 4. The district no longer provides group health coverage;
 5. Your continuation period ends.
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