

Stanley County School District #57-1
Board of Education – Regular Meeting Agenda

October 12, 2022 – 6:00 P.M.
Board Room – Parkview Auditorium

Proposed Agenda

1. Call meeting to order
2. Pledge of Allegiance
3. Approval of Agenda
4. Conflict of Interest Declaration
5. Consent Agenda
 - a. Approval of Minutes for September 14, 2022 Board Meeting
 - b. Approval of Bills
 - c. Imprest Expense
 - d. Financials for September 2022
6. Public Comment
7. Approval of Amendment of Policy BDDH: Public Participation at Board Meetings
8. Approval of Policy GCD: Professional Staff Hiring
9. Approval of Policy GCF: Hiring Retired Employees
10. Approval of Policy GCPA: Reduction in Professional Staff Work Force
11. Approval of Policy GCPB: Resignation of Professional Staff Members
12. Approval of Policy GCPC: Retirement of Professional Staff Members
13. 1st Reading of Policy GCPD: Suspension Without Pay and Dismissal of Professional Staff Members
14. 1st Reading of Policy GCPDA: Professional Staff Member Administrative Leave with Pay
15. 1st Reading of Policy GCQAB: Tutoring for Pay
16. 1st Reading of Policy GDA: Support Staff Positions
17. 1st Reading of Policy GDB: Non-Certified Staff Contracts and Compensation
18. 1st Reading of Policy GDBC: Support Staff Fringe Benefits
19. 1st Reading of Policy GDPA: Reduction in Support Staff Work Force
20. 1st Reading of Policy GDPB: Resignation of Support Staff Members
21. 1st Reading of Policy GDPC: Retirement of Support Staff Members
22. 1st Reading of Policy GDPD: Suspension and Dismissal of Support Staff Members
23. Buildings and Grounds
24. Capital Outlay Plan
25. Student Reports
26. Administrators Report
27. Executive Session – per SDCL 1-25-2 (1) Personnel, (2) Student Matters
28. Contracts/Letters of Intent
29. Resignations
30. Open Enrollments
31. Adjournment

Policy BDDH: PUBLIC PARTICIPATION AT BOARD MEETINGS

Status: DRAFT - 2nd
Reading

Original Adopted Date: 07/13/2022 | Last Reviewed Date: 10/03/2022

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 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 GCD: PROFESSIONAL STAFF HIRING

Status: DRAFT - 2nd
Reading

Original Adopted Date: Pending | **Last Reviewed Date:** 10/06/2022

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/her selection; however, the final recommendation to the Board will be made by the Superintendent.

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.

When hiring new staff members, the Superintendent or other administrator shall attempt to include an appropriate staff member to meet with and visit an applicant and to respond to the Superintendent or other administrator. This does not include a review of credentials or other confidential materials. Any information gathered in such a process shall be regarded as privileged information.

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 - 2nd
Reading

Original Adopted Date: Pending | **Last Reviewed Date:** 10/03/2022

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 GCPA: REDUCTION IN PROFESSIONAL STAFF WORK FORCE

Status: DRAFT - 2nd
Reading

Original Adopted Date: Pending | Last Reviewed Date: 10/03/2022

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 - 2nd
Reading

Original Adopted Date: Pending | **Last Reviewed Date:** 10/06/2022

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, the contract may be terminated by mutual consent of the contracting parties or by the statutory provisions of the laws of South Dakota. If no mutual consent as to termination exists and if the staff member initiates the termination of the contract prior to its termination date, the school district may withhold any monies dues the staff member or collect from the staff member payment of liquidation damages detailed in the contract or negotiated agreement.

Policy GCPC: RETIREMENT OF PROFESSIONAL STAFF MEMBERS

Status: DRAFT - 2nd
Reading

Original Adopted Date: Pending | Last Reviewed Date: 10/03/2022

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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Policy GCPD: SUSPENSION WITHOUT PAY AND DISMISSAL OF PROFESSIONAL STAFF MEMBERS

Status: DRAFT - 1st
Reading

Original Adopted Date: Pending | Last Reviewed Date: 10/03/2022

Suspension without pay and dismissal of professional staff members is the responsibility of the Board and will conform with the conditions and procedures specified in state law.

An employee may be suspended without pay or an employee's contract may be terminated at any time, or non-renewed in the case of continuing contract status, for just cause including:

- plain violation of contract;
- gross immorality;
- incompetency or neglect of duty;
- poor performance;
- unprofessional conduct;
- insubordination;
- violation of any policy or regulation of the school district;
- neglect.

The Superintendent will give notice of the intent to recommend suspension without pay or termination. The notice must specify the grounds for the recommendation, and inform the right to request a hearing.

Policy GCPDA: PROFESSIONAL STAFF MEMBER ADMINISTRATIVE LEAVE WITH PAY

Status: DRAFT - 1st
Reading

Original Adopted Date: Pending | Last Reviewed Date: 10/03/2022

The placement of a professional staff member on administrative leave with pay will be governed by the applicable collective bargaining agreement. In the absence of an applicable collective bargaining agreement provision, this policy will apply.

When there is reasonable cause to suspect employee breach of contract, poor performance, incompetency, gross immorality, unprofessional conduct, insubordination, neglect of duty, or the violation of any policy or regulation of the school district, the employee may be placed on paid administrative leave by the superintendent. Placement on paid administrative leave is for the purpose of stabilizing the situation and shall not constitute disciplinary action taken by the employer. While on paid administrative leave the employee will be temporarily disengaged from their responsibilities until the matter which resulted in the placement on paid administrative leave is concluded. An employee on paid administrative leave shall continue to receive all benefits of employment. The employee on paid administrative leave may subsequently be reinstated to his/her responsibilities or be notified of a recommendation that he/she be suspended without pay or a recommendation that his/her employment with the District be terminated.

Policy GCQAB: TUTORING FOR PAY

Status: DRAFT - 1st
Reading

Original Adopted Date: Pending | **Last Reviewed Date:** 10/03/2022

To assure all students reasonable instructional assistance without charge from their own teachers, and to avoid placing a teacher in a position where he may have a conflict of interest, teachers will not be permitted to receive money for tutoring any student they have in class or upon whose evaluation or assignment they will be called upon to pass.

Teachers may not tutor any student for pay during their regular working hours or on school premises.

Policy GDA: SUPPORT STAFF POSITIONS

Status: DRAFT - 1st
Reading

Original Adopted Date: Pending | **Last Reviewed Date:** 10/03/2022

Education is a cooperative enterprise in which all employees of the school district must participate intelligently and effectively for the benefit of the children. This school district will employ support staff members in positions that function to support the education program.

All support staff positions will be established initially by the Board. In each case, the Superintendent will submit for the Board's consideration and action a job description or job specifications for the position.

Policy GDB: NON-CERTIFIED STAFF CONTRACTS AND COMPENSATION

Status: DRAFT - 1st
Reading

Original Adopted Date: Pending | **Last Reviewed Date:** 10/03/2022

Non-certified staff employees are employees-at-will pursuant to SDCL 6-4-4 (i.e., an employment having no specified term may be terminated at the will of either party on notice to the other, unless otherwise provided by statute).

Non-certified staff employment contracts will identify the employee's hourly rate of pay. Any reference to pay on a monthly basis or over a nine or twelve month period is given in order that the employee may be aware of the monthly and annual compensation should neither party terminate the contract. The Employment Agreement will additionally identify applicable employment benefits. Non-certified staff employees shall not work in excess of forty (40) hours per work week without prior written approval from the employee's supervisor.

The Board will establish the rate of pay for the full-time, part-time and substitute support staff, including secretarial staff, aides, custodians, maintenance, bus drivers and cafeteria workers.

Policy GDBC: SUPPORT STAFF FRINGE BENEFITS

Status: DRAFT - 1st
Reading

Original Adopted Date: Pending | **Last Reviewed Date:** 10/03/2022

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

Benefits for support staff members will include coverage, as required by law, under worker's compensation and participation in the Social Security system.

All support staff members who are regularly employed for at least half time will be entitled to membership in the district's group insurance program. Program benefits and the arrangements for the payment of premiums will be the same as those extended to teachers.

Policy GDPA: REDUCTION IN SUPPORT STAFF WORK FORCE

Status: DRAFT - 1st
Reading

Original Adopted Date: Pending | Last Reviewed Date: 10/03/2022

The number of employees may be reduced due to a change in program, a change in the size or nature of the student population, or budgetary considerations. The Board will attempt to accomplish such a reduction through normal staff attrition, unless the best interests of the school district dictate otherwise.

In the event reduction of staff is necessary, seniority will be considered along with performance in determining employees who will be affected by either layoff or changes in position. Employees being terminated will be given a two-week notice.

Before a new employee is hired, a staff member whose employment has been suspended due to reduction in force will be given opportunity to return to work should the position be reinstated or other suitable vacancies open.

Policy GDPB: RESIGNATION OF SUPPORT STAFF MEMBERS

Status: DRAFT - 1st
Reading

Original Adopted Date: Pending | **Last Reviewed Date:** 10/03/2022

Any non-certificated employee desiring to resign will be required to make such a request in writing to the Superintendent, stating the time the employee wishes the resignation to become effective.

The Superintendent will present the resignation to the Board at its first meeting after the receipt of the resignation, and the Board will act upon the request of the employee.

At least a two-week notice should be given to the Board by the employee in order to allow ample time for filling the vacancy by a well-qualified individual.

Policy GDPC: RETIREMENT OF SUPPORT STAFF MEMBERS

Status: DRAFT - 1st
Reading

Original Adopted Date: Pending | Last Reviewed Date: 10/03/2022

RETIREMENT SYSTEM

All regularly employed support 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.

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 includes your spouse, if not divorced or legally separated from you, your unmarried, dependent children up to age 19 who are not employed on a full-time basis or dependent children who are full-time students up to age 23.

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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Policy GDPD: SUSPENSION AND DISMISSAL OF SUPPORT STAFF MEMBERS

Status: DRAFT - 1st
Reading

Original Adopted Date: Pending | **Last Reviewed Date:** 10/03/2022

The Board will strive to assist personnel to adjust to their positions and to perform their duties satisfactorily. Reasonable effort will be made to avoid dismissing personnel at any level.

When an employee is charged with misconduct, insubordination or unsatisfactory performance, they may be temporarily suspended by the Superintendent until the charges are investigated. If the charges are unfounded, the employee will be reinstated, if not, the employee will be disciplined.

If the employee is dissatisfied with the Superintendent's action, the employee may appeal to the School Board for a review of their case.
