

Personnel

NEPN Code	Title of Policy	Next Scheduled Review
G	Personnel	FY2025
GA	Personnel Goals	FY2025
GB	General Reference Policy	FY2025
GBA	Equal Opportunity Employment	FY2025
GBAA	Veteran's Preference	FY2025
GBC	Staff Ethics	FY2025
GBCA	Staff Conflict of Interest	FY2025
GBCB	Staff Conduct	FY2025
GBCBA	Freedom of Expression	FY2025
GBCBAA	Search and Seizure	FY2025
GBCBAAA	Technology Acceptable Use Policy	FY2025
GBCBB	Employee Use of Networking Sites	FY2025
GBE	Staff Health and Safety	FY2025
GBEB	Employee Communicable Diseases	FY2025
GBEB-R	Employee Communicable Disease Guidelines	FY2025
GBEC	Use of Alcohol, Drugs and Controlled Substances	FY2025
GBG	Staff Participation in Political Activities	FY2025
GBGA	District Involvement in Political Activity	FY2025
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GBM	Staff Complaints and Grievances	FY2025
GBM-R	Staff Complaints and Grievances – Procedures	FY2025
GCA	Professional Staff Positions	FY2025
GCA-R(1)	Professional Staff Positions – Job Description: Teacher	FY2025
GCA-R(2)	Professional Staff Positions – Job Description: Counselor	FY2025
GCB	Qualifications of Teachers	FY2025
GCBA	Professional Staff Salary Schedules	FY2025
GCBB	Professional Staff Supplementary Pay Plans	FY2025
GCBCC	Tax Sheltered Annuity Program	FY2025
G CBD	Professional Staff Leaves and Absences	FY2025
GCBDC	Jury Duty	FY2025
GCBDD	Military Leave	FY2025
GCBDE	Family and Medical Leave	FY2025
GCBDE-R(1)	Family and Medical Leave – Procedures	FY2025

GCBDF	Nursing Mothers	FY2025
GCBE	Vacations and Holidays – Professional Staff	FY2025
GCC	Professional Staff Recruiting	FY2025
GCD	Professional Staff Hiring	FY2025
GCDB	Criminal Background Checks	FY2025
GCDB-E(1)	Criminal Background Checks – Privacy Rights	FY2025
GCE	Part-Time and Substitute Employment – Professional Staff	FY2025
GCF	Hiring Retired Employee	FY2025
GCI	Professional Staff Assignments and Transfers	FY2025
GCJ	Professional Staff Time Schedules	FY2025
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GCPA	Reduction in Professional Staff Work Force	FY2025
GCPB	Resignation of Professional Staff Work Force	FY2025
GCPC	Retirement of Professional Staff Members	FY2025
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GDB	Non-Certified Staff Contracts and Compensation	FY2025
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GDBB	Support Staff Supplementary Pay Plans	FY2025
GDBC	Support Staff Fringe Benefits	FY2025
GDBD	Support Staff Leaves and Absences	FY2025
GDC	Support Staff Recruiting, Posting of Vacancies & Hiring	FY2025
GDI	Support Staff Assignments and Transfers	FY2025
GDJ	Support Staff Time Schedules	FY2025
GDL	Support Staff Development Opportunities	FY2025
GDN	Support Staff Evaluations	FY2025
GDO	Support Staff Promotions	FY2025
GDPA	Reduction of Support Staff Members	FY2025
GDPB	Resignation of Support Staff Member	FY2025
GDPC	Retirement of Support Staff Members	FY2025
GDPD	Suspension/Dismissal of Support Staff Members	FY2025

All Staff All Staff need to be made aware of policy each year

Approve Each year Board should approve all policies in this color each year

Green Students and parents need to be made aware of policy each year

Arlington School District 38-1	NEPN Code: G
School Board Policy Reference Manual	

PERSONNEL

Section G contains policies, regulations, and exhibits related to teachers and non-certified staff.

Section G is divided into three main divisions:

- GB: general personnel
- GC: instructional staff
- GD: non-certified staff

Legal References:

Adopted: FY2020

Last reviewed: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GA
School Board Policy Reference Manual	

PERSONNEL GOALS

The Board recognizes that a dynamic and efficient staff dedicated to education is necessary to maintain a constantly improving educational program. The Board is interested in its personnel as individuals, and it recognizes its responsibility for promoting the general welfare of the staff.

The Board's specific personnel goals are:

1. To recruit, select, and employ the best qualified personnel to staff the school system;
2. To provide staff compensation and benefit programs sufficient to attract and retain qualified employees;
3. To provide programs for all employees to improve their performance and the overall rate of retention and promotion of staff;
4. To conduct an employee appraisal program that will contribute to the continuous improvement of staff performance;
5. To deploy personnel so as to ensure their skills are used as effectively as possible;
6. To develop the quality of human relationships necessary to obtain maximum staff performance and satisfaction;
7. To help all employees realize that the efficient and courteous performance of their assignment has a positive impact on the public support of education in the district.

Legal References:

Adopted: FY2012

Last reviewed: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GB
School Board Policy Reference Manual	

GENERAL REFERENCE POLICY

It is the policy of this school district to respond only to written requests for reference information. The information which may be released includes the employee name, job title, salary and dates of employment.

This policy applies to current or former employees and should not reflect either negatively or positively on a specific employee. If an employee would like additional work-related information released, they would sign a release of information form provided by the Superintendent. Employees are in no way required to sign the release.

This release will be placed in your personnel file.

Legal References: SDCL 60-4-12

Adopted: FY2020

Last reviewed: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GBA
School Board Policy Reference Manual	

EQUAL OPPORTUNITY EMPLOYMENT

The Board subscribes to the fullest extent to the principle of the dignity of all people and of their labors and will take action to ensure that applicants are employed, assigned, and promoted without regard to their age, race, creed, color, sex, marital status, religion, political affiliation, or national origin. Every available opportunity will be taken in order to assure that each applicant for a position is selected on the basis of qualifications, merit and ability.

Legal References: Civil Rights Act of 1964, as amended in 1972, Title VI;
Title VII Executive Order 11246, 1965, as 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;
Americans With Disabilities Act, July 26, 1990;
SDCL 13-43-17; SDCL 13-43-17.1; SDCL 13-43-18; SDCL 13-43-19; SDCL 13-43-20; SDCL 13-43-20.1; SDCL 13-43-21; SDCL 13-43-23; SDCL 13-43-25

Adopted: FY2012

Last reviewed: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GBAA
School Board Policy Reference Manual	

VETERAN'S PREFERENCE

If a veteran possesses the qualifications necessary to discharge the duties of the position involved, the veteran shall receive preference for employment and promotion. For the purposes of this policy, the term “veteran” means any person who:

- (1) has served the full obligation for active duty, reserve, or National Guard service in the military, or received an early discharge for a medical condition, hardship, reduction in force, or at the convenience of the military; and
- (2) has been separated or discharged from such service honorably or under honorable conditions.

In order to determine if the veterans' preference applies, each applicant for employment shall complete an employment application on which the applicant is asked if the applicant is a veteran. All veterans are subject to criminal background check requirements as set forth in state law.

Age, loss of limb, or other physical impairment which does not in fact incapacitate does not disqualify the veteran. A veteran who has a service-connected disability shall be given a preference over a nondisabled veteran.

The unmarried spouse of a veteran who died while in service, or later died from a service connected cause, is entitled to the preferences given to the veteran if the spouse possesses the qualifications and business capacity necessary to discharge the duties of the position involved. If a veteran disabled due to a service connected cause is unable to exercise the right to a veteran employment preference due to the disability, the veteran's spouse is entitled to the preferences given to the veteran if the spouse possesses the qualifications and business capacity necessary to discharge the duties of the position involved.

If a veteran applies for appointment for employment under this policy, the District shall, before employing anyone to fill the position, investigate the qualifications of the applicant. If the applicant possesses at least the minimum qualifications necessary to fill the position, the officer, board, or person shall interview the applicant. However, nothing within this policy requires the school district to hire a veteran interviewed. At the conclusion of the hiring procedure and protocol, should a veteran and nonveteran be equally qualified for the position the veteran shall be granted veteran’s preference and shall be offered employment in the position.

A veteran may be removed for incompetency or misconduct shown after a hearing, upon due notice, upon stated charges, and with the right of the employee or appointee to a review pursuant to law.

Legal References: SDCL 13-10-12; SDCL 3-3-1; SDCL 3-3-4; SDCL 3-3-6; SDCL 3-3-7; SDCL 3-3-8; SDCL 33A-2-1; USC Title 38 4301-4335

Adopted: FY2020

Last reviewed FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GBC
School Board Policy Reference Manual	

STAFF ETHICS

School employees hold positions of public trust. High standards of honesty, integrity, and fairness are to be exhibited by each school district employee when involved in any school district activity. Ethical behavior by staff is required and expected at all times while fulfilling one's employment responsibilities and when at all school functions.

District employees are required and expected to:

1. treat students, parents, fellow employees, and community members with respect. Conduct which is prohibited includes, but is not limited to:
 - inappropriate verbal, visual or physical conduct, including jokes that demean an individual or group of individuals, spreading gossip about any individual, threatening another individual and all types of bullying behavior;
 - without proper authorization and authority violating another person's right of privacy and/or intentionally invading another person's personal space;
 - knowingly falsely blame an individual for conduct not done by the person.
2. promote a safe, nurturing, and positive school and work environment. Conduct which is prohibited includes, but is not limited to:
 - any conduct that is severe and objectively offensive so that it creates or results in an intimidating, hostile or offensive work or learning environment or has the purpose or effect of substantially or unreasonably interfering with an employee's or student's performance;
 - threatening, harassing, punishing or retaliating behavior against students and/or other employees.
3. maintain confidentiality concerning students, families and employees.
4. act in a manner consistent with District policies, legal and contractual standards, responsibilities, and obligations.
5. model and promote appropriate dress and language.
6. report to a school administrator knowledge of mismanagement, waste of funds, misuse of school property, abuse of authority, threats to safety, violations of policies and regulations, or other conduct that damages integrity or reputation of the school district.
7. refrain from using school employment to promote personal political and/or religious views.

In addition to the foregoing, the District, within this policy, adopts and incorporates into this policy as if set forth in full, the South Dakota Department of Education Professional Teachers Ethics as set forth in ARSD 24:08:03. The Professional Teachers Ethics as incorporated into this policy applies to:

- Teachers - a person charged with responsibility in the field of education and certified by the secretary of the Department of Education as a teacher or other specialist employed or contracted to provide services in an educational setting,
- Education Specialists - a person with specialized training or licensure, not serving as a classroom teacher, but employed or contracted to provide services in an educational setting, and
- Noncertified Educators - a person charged with responsibility in the field of education who is not certified by the secretary of the Department of Education as a teacher, administrator, or other education specialist, but who is employed or contracted to provide services in an educational setting.

Furthermore, the District, within this policy, adopts and incorporates into this policy as if set forth in full, the South Dakota Department of Education Professional Administrators Ethics as set forth in ARSD 24:11:03. The Professional Administrators Ethics as incorporated into this policy applies to:

- the Superintendent,
- the Business Manager, and
- all other educational administrators.

Any employee who believes a staff member has engaged in conduct which violates the code of conduct shall immediately report the alleged misconduct to their immediate supervisor. If the concern/complaint involves the individual's immediate supervisor, the complaint may be filed with any administrator within the school district.

All complaints will be investigated and should the investigation result in a determination of unethical behavior by a school employee such unethical behavior shall constitute just cause for discipline, up to and including termination of employment. A complaint reported which was intentionally and knowingly false will result in disciplinary action being taken against the person or persons involved in the false complaint being made.

Legal References: ARSD 24:08; ARSD 24:11; SDCL 13-43-25

Cross References: AH – Conflict of Interest Disclosure and Authorization; GBCA - Staff Conflict of Interest
GBCB - Staff Conduct; GBCBA - Freedom of Expression

Adopted: FY2012

Last reviewed: FY2020

Next Review Scheduled For: FY2025

Notes: Teachers should also abide by the code of ethics for the teaching profession, developed by the state Professional Teachers Practices and Standards Commission (PTPSC).

Arlington School District 38-1	NEPN Code: GBCA
School Board Policy Reference Manual	

STAFF CONFLICT OF INTEREST

Employees of the District will not engage, directly or indirectly, in any activity that conflicts (or raises a reasonable question of conflict) with their duties and responsibilities in the school system.

Employees will not engage in work of any type where information concerning customer, client, or employer originates from any information available to them through school sources.

Employees will not sell textbooks, instructional supplies, equipment, reference books, or any other school products to the schools in the district.

In order that there is no conflict of interest in the supervision and evaluation of employees, at no time may any administrator be responsible for the supervision and/or evaluation of an employee who is the spouse of the administrator or the parent or step-parent, child or step-child, grandparent or grandchild, aunt, uncle, cousin, niece or nephew of the employee.

Neither the spouse of a Board member, nor any person who is related to a Board member within the third degree of consanguinity, will be employed in the district, except by a unanimous vote by the Board.

Legal References: Constitution of the State of South Dakota, Art. VIII, sec. 17; SDCL 13-20-2.1; SDCL 13-43-1; SDCL 6-1-1; SDCL 6-1-17

Cross References: AH – Conflict of Interest Disclosure and Authorization; BBFA - Board Member Conflict of Interest; GBC – Staff Ethics

Adopted: FY2012

Last reviewed: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GBCB
School Board Policy Reference Manual	

STAFF CONDUCT

All staff members have a responsibility to familiarize themselves with and abide by the laws of the State as these affect their work, the policies of the Board, and the regulations designed to implement them.

In the area of personal conduct, the Board expects that staff members will conduct themselves in a manner that not only reflects credit to the school district, but also 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 ongoing 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 policies of the Board and regulations of the school administration in regard to students;
3. Diligence in submitting required reports promptly at the times specified;
4. Care and protection of school property.
5. Concern for and attention to their own and the school district's legal responsibility for the safety and welfare of students, including the need to ensure that students are under supervision at all times.

Legal References: ARSD 24:08:03; ARSD 24:11:03:01; SDCL 13-8-44; SDCL 13-43-28.

Cross References: GBC – Staff Ethics; ILB – State Required Assessments

Adopted: FY2012

Last reviewed: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GBCBA
School Board Policy Reference Manual	

FREEDOM OF EXPRESSION

Employees have the Constitutional right of freedom of speech to speak on matters of public concern. However, the freedom of speech is limited for public employees when on duty or attending a school function, and also when discussing certain employment and student matters.

Legal References: Garcetti v. Ceballos; Pickering v. Board of Ed; US Constitution 1st Amendment; ARSD 24:08:03; ARSD 24:11:03:01

Cross References: GBC- Staff Ethics; IGDB – Student Publications

Adopted: FY2012

Last review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GBCBAA
School Board Policy Reference Manual	

SEARCH AND SEIZURE

All district property, including, but not limited to, real estate, buildings, offices, desks, storage areas, lockers, computer systems and equipment, voice-mail, and vehicles, is owned by the district, and is intended for educational purposes, and district business, at all times.

Individuals using district-owned property (system users) shall have no expectation of privacy when using school property. The district reserves the right to monitor, inspect, copy, review and store (at any time and without notice) all usage of district property including computer and computer systems, including all internet and electronic communications access and transmission/receipt of materials and information. All material and information accessed and/or received through district computers and computer systems shall remain the property of the school district.

System users have no right of privacy and should have no expectation of privacy in materials sent, received, or stored in district-owned computers or on the district system or within the physical area of the district. School officials reserved the right to review district system/property use at any time to determine if such use meets the criteria set forth in school board policies and district regulations. Routine maintenance and monitoring of the system and physical plant may lead to the discovery that the user has or is violating district policy or law. Once a problem is discovered, an individual search may be conducted. The search/investigation will be reasonable and will be in keeping with the nature of the alleged misconduct.

Employees or students violating acceptable use of district property, or policy, may be subject to disciplinary action by the Superintendent or designee, depending on the nature of the violation. See policy GBCBAAA for the district "Technology Acceptable Use Policy".

Legal References: SDCL 13-5-1; SDCL 13-8-39; US Constitution 4th Amendment

Adopted: FY2012

Last review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GBCBAAA
School Board Policy Reference Manual	

Technology Acceptable Use Policy

Arlington School Information Technology

Any computer, networking device, telephone, copier, printer, fax machine, or other information technology which

- is owned by Arlington School or
- is licensed or leased by Arlington School
- In addition, any information technology which
- connects directly to Arlington School data or telephone networks,
- connects directly to a computer or other device owned or operated by Arlington School, and/or
- otherwise uses or affects Arlington School information-technology facilities is subject to Arlington School information-technology policies

Restricted Applications

Restricted applications of Arlington School's information technology primarily include but are not limited to:

- threatening Arlington School's tax-exempt status, such as certain kinds of political activity and most commercial activity,
- illegal acts, such as fraud, harassment, copyright violation, and child pornography,
- depriving other users of their fair share of Arlington School information technology or interfere with the functioning of central networks and systems, such as mass mailings, and chain letters
- violating Arlington School by-laws or policies
- sending or displaying offensive messages or pictures
- using obscene language
- insulting or attacking others
- engaging in practices that threaten the network (e.g., loading files that may introduce a virus)
- violating copyright laws
- using others' passwords without permission
- trespassing in others' folders, documents, or files
- intentionally wasting limited resources
- employing the network for sale of personal items

Disclaimers do not render restricted applications acceptable. The only recourse available to someone interested in such applications is to use non-Arlington School computers, networks, and other technologies.

Procedures

When any use of information technology at Arlington School presents an imminent threat to other users or to the Arlington School's technology infrastructure, system operators may take whatever steps are necessary to isolate the threat, without notice if circumstances so require. This may include changing passwords, locking files, disabling computers, or disconnecting specific devices or entire sub-networks from Arlington School,

regional, or national voice and data networks. System operators will restore connectivity and functionality as soon as possible after they identify and neutralize the threat.

Telephones, computers, network connections, accounts, usernames, authorization codes, and passwords are issued to identify them as eligible users of Arlington School information technology. Users are responsible for not sharing their privileges with others, and especially for ensuring that authorization codes and passwords remain confidential. Users of computers connected to the Arlington School network, permanently or temporarily, are responsible for ensuring that unauthorized users do not thereby gain access to the Arlington School network or to licensed resources.

Use of information technology that violates this policy and rules based on it may result in disciplinary proceedings and, in some cases, in legal action.

Sanctions

Preliminary determination:

The Administration with assistance from the technology committee will make the initial determination of a policy violation. Once it has been determined that a policy violation has occurred, the director will implement the appropriate sanction(s).

Sanctions may include but are not limited to:

- verbal warning
- written warning
- deny, suspend, or revoke any internet access as deemed appropriate
- employment sanctions recommended to the school board notification of law enforcement

Legal References: SDCL 13-5-1; SDCL 13-8-39

Adopted: FY2012

Last review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GBCBB
School Board Policy Reference Manual	

EMPLOYEE USE OF NETWORKING SITES

Technology will be used to complement and foster public education. Utilization by employees must not distract from or disrupt the educational process. Proper decorum is the standard of conduct expected of a professional. That standard will apply to the use of technology and social networking sites.

The Superintendent will ensure that staff members are reminded and informed of the importance of maintaining proper decorum when using technology as well as in person.

Proscribed conduct includes:

- Improper fraternization with students.
- Listing students as friends on networking sites.
- Staff members providing private phone numbers without prior approval of the district.
- Inappropriate email or phone contact with students.
- Posting items containing inappropriate sexual content.
- Posting items exhibiting or advocating illegal use of drugs or alcohol.

Electronic contacts with students will be through the district's property except in the case of an emergency.

All contact and messages by coaches with team members shall be sent to all team members, except for messages concerning medical or academic privacy, in which case the messages will be copied to the athletic director and the school principal.

The administration will monitor improper use of technology, and impose sanctions including dismissal from employment. Employees have no expectation of privacy with respect to utilization of district property, nor engagement in social networking sites.

Legal References:

Adopted: FY2012

Last review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GBE
School Board Policy Reference Manual	

STAFF HEALTH AND SAFETY

The employee is required to submit, within ten days after first being employed, a certification of health signed by a licensed physician.

The Board may require an employee returning from an extended leave of absence for health reasons to submit a new certification of health. The expense of this examination will be borne by the district.

WORKERS' COMPENSATION

In case of injury while pursuing duties in keeping with the employee's contract, the employee will receive compensation and expenses as prescribed by the worker's compensation law of South Dakota.

Any employee who receives an injury while at work should immediately report this injury to the Superintendent's office and request the necessary forms to make application for payment under this law.

Legal References: SDCL 13-43-60; SDCL 62-1-2; SDCL 62-2-14; SDCL 62-3-3; SDCL 62-6-2; SDCL 62-7-10

Adopted: FY2012

Last review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GBEB
School Board Policy Reference Manual	

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 (superintendent).

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 service's 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 employee and others in that setting;
4. the South Dakota Department of Health guidelines and policies;
5. the status of certification of health of the employee under South Dakota Law;
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".

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 principal, will provide, 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 interpreted 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 judgments 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 References: SDCL 1-27-3

Adopted: FY2012

Last review: FY2020

Next Review Scheduled For: FY2025

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-five years	Determination should be made by the Advisory Committee as outlined in the 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 immunosuppression 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 of 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 school if under treatment and covered or 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.
Measles (Red, Hard, Rubeola, 7-day) *8-14 days	The employee may attend work after a minimum of seven (7) 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 the physician.
Mumps *12-21 days	The employee may attend work after swelling has disappeared.
Pediculosis (Lice)	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 Wart	The employee may attend work.
Ring Worm (Scalp, Body, Athlete's Foot)	The employee may attend work if 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.

All communicable and chronic disease should be reported to Health Services.

*Time interval between initial contact with an infectious agent and the first sign of symptom of the disease.

Adopted: FY2012

Last review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GBEC
School Board Policy Reference Manual	

USE OF ALCOHOL, DRUGS AND CONTROLLED SUBSTANCES

Student and employee safety is a paramount concern to the school board. Employees under the influence of alcohol and/or other drugs 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 alcohol and/or other drugs on school property or at a school event off school property. Additionally, it shall be a violation of this policy for any employee to manufacture, use, possess, sell, distribute or be under the influence of medical cannabis in any manner inconsistent with South Dakota state law. Any employee who violates this policy will be subject to disciplinary action, which may include dismissal, and referral for prosecution. Each employee of the district is hereby notified that, as a condition of employment, the employee must abide by the terms of this policy and will report to the superintendent any criminal alcohol and/or other drug statute convictions for any alcohol and/or drug violation. Such notification must be made by the employee to the superintendent no later than five (5) days after conviction. Should the affected employee be the superintendent she/he will report to the Board no later than the next regular meeting of the Board.

Within thirty (30) days after receipt of information concerning an alleged or proven violation(s) of this policy, the district will take appropriate disciplinary action, which may include termination of employment, requiring the employee to participate in alcohol and/or other drug abuse assistance or rehabilitation programs, and possible referral for prosecution.

The school board recognizes that employees who have an alcohol and/or other drug use/abuse problem should be encouraged to seek professional assistance. An employee who requests assistance shall be provided a listing of the regional treatment facilities or agencies to assist him/her in their choice of a service provider.

If there is reason to suspect that a staff member is under the influence of alcohol and/or illegal drugs, the staff member will not be allowed on school property or to participate in school activities. Staff members will be subject to discipline for arriving at school or at a school activity under the influence of alcohol and/or an illegal drug. For the purposes of this policy, "illegal drug" means narcotics, drugs and controlled substances as defined in federal law or state law. "Illegal drugs" also include any prescription or over-the-counter drug that does not meet the following four criteria:

1. the employee has a current and valid prescription for the drug or the drug is sold over-the-counter;
2. the drug is used or possessed for the purpose for which it was prescribed or sold over-the-counter;
3. the drug is used or possessed at the dosage prescribed or recommended; and
4. the drug is used or possessed consistent with the safe and efficient performance of the employee's job duties.

Any staff member who is taking a drug or medication, whether or not prescribed by the staff member's physician, which may adversely affect that staff member's ability to perform work in a safe or productive manner is required to report such use of medication to his or her supervisor. This includes drugs that are known or advertised as possibly affecting judgment, coordination or any of the senses, including those that may cause drowsiness or dizziness.

The school board hereby commits itself to a continuing good faith effort to maintain a drug-free environment.

A copy of this policy shall be given to all present and future employees.

Legal References: USC Title 41 Chapter 81; SDCL 13-43-6.1; SDCL 34-20G

Cross References: GBC – Staff Ethics; GBCB – Staff Conduct; JHCDE – Administration of Medical Cannabis to Qualifying Students; JHCDE-E(1) – Administration of Medical Cannabis to Qualifying Students – Medical Cannabis Administration Plan

Adopted: FY2012

Last review: FY2022

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GBG
School Board Policy Reference Manual	

STAFF PARTICIPATION IN POLITICAL ACTIVITIES

The Board recognizes that employees of the district have the same fundamental civic responsibilities and privileges as other citizens. Among these are: campaigning for elective public office and holding an elective or appointive public office.

Any employee who intends to campaign for an elective public office will notify the Superintendent, in writing at the earliest possible moment, of the office which he or she intends to seek, together with the decision as to whether he wishes to continue employment and under what terms and conditions.

The Superintendent will meet with and discuss these matters with the employee involved and will present a proposed solution to the Board for consideration. The essential element to be determined by the Board is whether the activities proposed by the employee are compatible with the time requirements for fulfilling the employee's responsibilities to the district.

In connection with his or her campaigning, no employee will use school system facilities, equipment, or supplies; nor will the employee discuss his or her campaign with students or with school personnel during the working day; nor will the employee use any time during the working day for campaigning purposes.

A teacher seeking an extended leave of absence for campaigning, office-holding, or other time-consuming activities connected with government service will apply for such leave in writing. The Board will provide the teacher with a written answer to a request for political leave including salary arrangements.

If not elected, the employee may return to the position previously held.

Legal References: SDCL 13-43-15.1

Adopted: FY2012

Last review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GBGA
School Board Policy Reference Manual	

DISTRICT INVOLVEMENT IN POLITICAL ACTIVITY

The Board believes in the importance of democracy in American society and advocates political participation as an act of self-governance. In this spirit, the Board recognizes the rights of district employees, as private citizens, to be involved in local, state and federal political activities, and encourages politically related material, discussions and projects in the classroom with the intent to teach students about democracy.

For the purpose of educating voters and lawmakers, the Board will also provide information on ballot questions. The Board authorizes the superintendent or superintendent's designee to communicate such information to citizens, media sources, public officials or candidates running for office as the superintendent or designee deems appropriate.

However, the board prohibits the following actions:

1. Use of an official school title to endorse or oppose candidates running for elected office, a political party or a proposition, referendum or issue being voted upon by the electorate;
2. Use of district funds to support or oppose a candidate running for elected office, a political action committee, a political party or a proposition, referendum or other ballot issue;
3. Distribution or posting of material which supports or opposes any candidate, political party or action committee, or proposition, referendum or other ballot issue on school property during school hours; and
4. Use of school facilities by candidates, their representatives, political parties, or political action committees.

SCHOOL AS POLLING PLACE

In the case that a public school building is used as a public polling place, candidates, their representatives, members of a political party or political action committee or citizens acting in support or opposition to a ballot question may hand out literature or speak with prospective voters as long as this is done outside a 100-foot radius of the entrance to the polling place.

The Board authorizes the superintendent to create any necessary regulations to implement this policy.

Notes: Nothing in this policy shall be construed to prohibit the use of political or issue-oriented materials or topics as part of classroom curriculum. This policy does not extend to elections conducted by students in the schools.

Legal References: SDCL 12-27-20, SDCL 12-27-21; SDCL 13-43-1; SDCL 13-43-15.1, SDCL 13-7-3; USC Title 5 7321-7326

Cross References: GBG - Staff Participation in Political Activities; KMI - Relations with Political Organization;
KG - Community Use of School Facilities

Adopted: FY2012

Last review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GBI
School Board Policy Reference Manual	

STAFF GIFTS AND SOLICITATIONS

GIFTS

The presentation of gifts to, and the arrangement of social affairs for, employees leaving the system for reasons other than retirement will be governed by the following policy:

1. Each building principal will appoint, or the employees may volunteer, for a small social committee to plan social affairs such as teas and luncheons.

2. Any gifts to be presented to departing employees by their respective groups will be at the discretion of the group involved.

SOLICITATIONS

The Superintendent will annually approve all solicitations that are to be permitted in the schools. No organization may solicit funds of staff members in the schools, nor may anyone distribute flyers or other materials related to fund drives through schools, without the approval of the Superintendent.

Employees may not be engaged in the sale of products to the schools, even if the proceeds of such sales are intended for charitable or civic purposes; nor will staff members collect any money or distribute any fund-raising literature without the express approval of the Superintendent.

Legal References: ARSD 24:08:03; ARSD 24:11:03:01

Cross References: JL - Student Gifts and Solicitations; KI - Public Solicitations and Advertising in the Schools

Adopted: FY2012

Last review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GBL
School Board Policy Reference Manual	

PERSONNEL RECORDS

A file of personnel records shall be maintained in the Superintendent's office for each employee of the School District. A file shall be kept for all resigned or retired employees, including such essential information as shall seem appropriate to the administration as specified by state and federal laws.

CONFIDENTIALITY

Personnel information concerning district employees is generally confidential. -Some personnel information is "public record" and must be released to any person upon request.

- (1) salaries,
- (2) routine directory information, consisting of employee's name and address, and subject to the employee's right to direct that his/her address not be disclosed), and
- (3) employment applications and related materials submitted by individuals hired into executive or policymaking positions within the District.

However, any current or prior contract with any public employee and any related document that specifies the consideration to be paid to the employee is by law a public document and to which the public has the right to examine and make memoranda and abstracts therefrom during regular school hours.

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

Records of an employee's evaluation shall not be released without the written consent of the employee unless authorized or required by law.

Files containing medical information regarding an employee, including employment accommodations pursuant to Americans with Disabilities Act (ADA) and Rehabilitation Act Section 504, will be kept separate from other personnel files and shall not be released without the written consent of the employee unless authorized or required by law.

TYPES OF INFORMATION

The records shall contain the following information:

1. The correct name and the current address and telephone number of the employee;
2. An accurate record of the work experience of the employee;
3. Current data on education completed, including the transcripts of all academic work;

4. Proof of requirements fulfilled in order to be eligible for salary;
5. Current data on credentials and certification;
6. Records of assignment;
7. Evaluations of performance;
8. Letters of commendation, reprimand, or omission of duty;

USE OF PERSONNEL RECORDS

All the contents of the personnel records file shall be available for inspection by the employee concerned. The district reserves the right to have a member of the Superintendent's office staff present at the time the employee inspects his or her personnel file. Similarly, at the time the record is reviewed, the employee shall have the right to have present a representative of his or her own choosing, if desired.

The employee shall have the right to respond in writing to all materials contained in the personnel file. Responses shall become part of the file.

Any complaints directed towards an employee, which are placed in the personnel file, are to be promptly called to the employee's attention in writing.

PARENTAL NOTICE

If the District receives Title I funds, at the beginning of the school year the District shall inform the parents of children attending school that the parents may request information regarding the professional qualifications of their children's teachers. Upon receipt of a parental request for this information, the District shall provide the following information:

- (1) whether the teacher has met state qualifications and licensing criteria for the grade levels and subject areas in which the teacher provides instruction ;
- (2) whether the teacher is teaching under "Plan of Intent" status;
- (3) the baccalaureate degree major of the teacher and any other graduate certification or degree held by the teacher, and the field of discipline of the certification or degree; and
- (4) whether the child is provided services by paraprofessionals, and, if so, their qualifications.

The District shall provide a response to the parents request in a timely manner.. In addition, parents shall be provided timely notice that their children have been assigned or have been taught for four or more consecutive weeks by teachers who are not highly qualified.

Legal References: USC Title 20 §6301 et.seq; SDCL 1-27-1.5 (15); SDCL 1-27-1.5 (7); SDCL 13-42-70; SDCL 60-4-12

Cross References: KBA – Public's Right to Know; KBAA – Public Records

Adopted: FY2012

Last review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GBM
School Board Policy Reference Manual	

STAFF COMPLAINTS AND GRIEVANCES

The Board will encourage the administration to develop effective means for resolving differences that may arise among employees and between employees and administrators; reduce potential areas of grievances; and establish and maintain recognized channels of communication between the staff, administration, and the Board.

Grievance procedures should provide for prompt and equitable adjustment of differences at the lowest possible administrative level, and each employee should be assured opportunity for an orderly presentation and review of complaints and concerns. Channels established will provide for the following:

1. That teachers and other employees may appeal a ruling of a principal or other administrator to the superintendent;
2. That all school employees may appeal a ruling of the superintendent to the Board.

The procedures established for the resolution of grievances in agreements negotiated with recognized employee bargaining units will apply only to "grievances" as defined in the particular agreement.

Legal References: SDCL 3-18-1; SDCL 3-18-1.1; SDCL 3-18-15; SDCL 3-18-15.1, SDCL 3-18-15.2; SDCL 3-18-15.3

Adopted: FY2012

Last review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GBM-R
School Board Policy Reference Manual	

STAFF COMPLAINTS AND GRIEVANCES – PROCEDURES (Regulation)

GRIEVANCE POLICY: (Amended April 2018)

1. Definition:

- A A "grievance" is a complaint by a person or group of persons employed by the Arlington School District #38-1, made either individually or by a duly authorized and recognized by the employee association through its representative, that there has been a violation, misinterpretation or inequitable application of any existing agreement, contract, policy, rule, or regulation of the School Board. Negotiations for, or a disagreement over, a nonexisting agreement, contract, policy, rule, or regulation is not a "grievance."
- B. An "aggrieved person" is the person or group of persons filing the grievance.
- C. "Board" means the School Board of the district.
- D. "Days" shall mean school days unless otherwise specified.

2. Purpose:

- A. The purpose of this procedure is to secure, at the lowest possible level, equitable solutions to the problems which may from time to time arise affecting the welfare or working conditions of teachers and to facilitate this purpose. These proceedings will be kept as informal and confidential as may be appropriate at any level of the procedure.
- B. Nothing herein contained shall be construed as limiting the rights of any employee having a grievance to discuss the matter informally with any appropriate member of the administration, and having the grievance adjusted without the intervention of the employee association, provided the adjustment is not inconsistent with the terms of any settlement with the employee association then in effect. At this stage the employee or the administrator involved in the grievance may bring an officer of the local AEA as a witness at such informal discussion and with the appropriate member of the administration.

3. Informal Procedures:

If an employee feels he/she has a grievance, he/she shall first discuss the matter with his supervisor, principal or other administrator, to whom he is directly responsible in an effort to resolve the problem. At this stage the employee or the administrator involved in the grievance may bring an officer of the local AEA as a witness at such informal discussion and with the appropriate member of the administration.

4. Procedure:

- A. It is important the grievances be processed as rapidly as possible. The number of days indicated at each level shall be the maximum and every effort should be made to expedite the process. However, time limits may be extended by mutual agreement in writing by both parties.
- B. If appropriate action is not taken by the employee within the time limit specified, the grievance will be deemed settled on the basis of the disposition at the preceding level. The time limits specified herein may be extended by mutual agreement in writing, provided the time extension is requested within the time limits provided in the Article.
- C. If an employee does not file a grievance in writing with the principal or other supervisor within 30 calendar days after the employee knew, or should have known, of the act or condition on which the grievance is based, the grievance shall be considered as having been waived.
- D. The grievance forms shall be on file with the building principal, AEA, superintendent and/or the immediate supervisor.

5. Formal Procedures:

LEVEL ONE - School Principal, Immediate Supervisor or Other Administrator

- A. If an aggrieved person is not satisfied with the disposition of his/her grievance informal procedures, he/she shall submit his/her grievance in writing.
- B. Signed copies of the written grievance shall be delivered by the employee to each of the following: supervisor, principal or other administrator, the Superintendent of schools, and the president of the School Board.
- C. An employee who is not directly responsible to a building principal may submit his/her formal written grievance to the administrator or supervisor to whom he/she is directly responsible.
- D. The administrator, within five school days of the filing of the grievance shall render his/her decision in writing to the aggrieved person.

LEVEL TWO - Superintendent of Schools

- A. If an aggrieved person or the Board is not satisfied with the decision concerning his/her grievance at Level One, or if no written decision has been rendered within five school days, he/she shall, within three school days after the decision is rendered, or within eight school days after filing at level one, resubmit his/her grievance in writing to the Superintendent of schools.
- B. The Superintendent of schools shall within five school days from the filing of the written grievance meet with the aggrieved person for the purpose of resolving the grievance. The Superintendent shall, within five days after this meeting render his/her decision in writing to the aggrieved person.

LEVEL THREE - Board of Education

- A. If the aggrieved person or the Board is not satisfied with the disposition of the grievance at Level Two, or if no written decision has been rendered within five school days, he/she shall within five days thereafter resubmit the grievance to the business manager and the president of the Board.
- B. At its next meeting, or at a time mutually agreed upon by the parties, the Board or its designated agent shall hold a hearing on the grievances. The decision of the Board shall be rendered in writing within five school days after the hearing.

LEVEL FOUR

If the aggrieved person is not satisfied with the disposition of the grievance at Level Three or if no written decision has been rendered within the time period set forth in the preceding paragraph, he/she may, appeal to the Department of Labor, pursuant to statute. The inclusion of this paragraph in this grievance procedure shall not constitute a waiver by either party of its rights to dispute the authority of the Department of Labor to hear the appeal and/or render any particular decision.

6. Miscellaneous:

- A. If, in the course of investigation of any grievance by representatives of the complainant, such investigation requires their presence in a school building; they shall report immediately to the principal of such building being visited and state the purpose of the visit.
- B. Interruption of regularly assigned classes or activities shall be avoided and students shall not be included in any phase of the grievance procedure except with the mutual consent of both parties.
- C. Any party or parties in interest shall appear and may be represented at formal Levels One and Two of the grievance procedure by one representative. When the representative is not a member of the employee organization, the employee organization shall have the right to have one spokesperson present and to have that spokesperson state its views at the formal Levels One and Two of the grievance procedure except when the aggrieved person specifically requests the exclusion of all but the parties in interest and their respective representatives. At Level Three a maximum of three representatives, one of whom will be the spokesperson, may represent the aggrieved person or persons involved in a grievance.
- D. If, in the judgment of the employee organization a grievance affects a group or class of employees, the organization may submit such grievance in writing to the Superintendent directly and the processing of such a grievance shall be commenced at Level Two. The employee organization shall designate not more than two spokespersons for the organization in processing such a grievance through the remaining levels of the grievance procedure. Provided, however, that the employee organization shall not be permitted to file or process a grievance with respect to an incident or occurrence on which an employee or group has already initiated a grievance
- E. Meetings and hearings under this procedure shall not be conducted in public and shall include such parties and only such parties in interest and their designated or selected representatives heretofore referred to in this grievance procedure. The vote on the Board's decision on Level Three grievances shall be made in open session but the name of the aggrieved party shall not be disclosed.

- F. When it is necessary for a party or parties in interest to attend a board meeting or a hearing called during the working day, the Superintendent's office shall so notify the party or parties in interest, principals or immediate supervisor, and the party or parties in interest shall be released without loss of pay for such time as their attendance is required at such meeting or hearing.

- G. At all hearings conducted under this procedure, the aggrieved person and the administrative representative may call witnesses and present evidence that is relevant to the matter being considered. The Board may request that other witnesses be called for questioning by the parties.

Legal References:

Adopted: FY2012

Amended: FY2018

Last review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GCA
School Board Policy Reference Manual	

PROFESSIONAL STAFF POSITIONS

All professional staff positions in the school district will be created initially by the Board. It is the Board's intent to activate a sufficient number of positions to accomplish the school district's goals and objectives and to provide for the equitable staffing of each school building. Although such positions may remain temporarily unfilled, only the Board may abolish a position it has created.

Each time a new position is established by the Board, the Superintendent will present for the Board's approval a job description for the position, which specifies the job holder's qualifications and the job's performance responsibilities. The Superintendent will maintain a comprehensive set of job descriptions for all positions.

Legal References: SDCL 13-43-16

Adopted: FY2012

Last review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GCA-R(1)
School Board Policy Reference Manual	

PROFESSIONAL STAFF POSITIONS – JOB DESCRIPTION: TEACHER

TITLE: Teacher

QUALIFICATIONS:

1. Teacher's certificate.
2. [Degree(s) required and area of major study]
3. [Kind and amount of prior job experience required.]
4. Such alternatives to the above qualifications as the Board may find appropriate and acceptable.

REPORTS TO: Person designated by the Board or the Superintendent.

SUPERVISES: Staff members designated by the Board or the Superintendent.

JOB GOAL: To help students learn subject matter and skills that will contribute to their development as mature, able, and responsible men and women.

PERFORMANCE RESPONSIBILITIES:

The classroom teacher is responsible for all students assigned to his/her classroom and for the aides working under their supervision. Teaches the students assigned to them using the curriculum approved by the board of education. They plan, direct, and evaluate learning experience for students in conformity with school district policy and goals.

1. Meets and instructs assigned classes in the location and at the times designated.
2. Plans a program of study that, as much as possible, meets the individual needs, interests, and abilities of each student as well as follows state standards and procedures.
3. Creates a classroom environment that is conducive to learning and appropriate to the maturity and interests of the students.
4. Prepares for classes assigned, and shows written evidence of preparation upon request of immediate superior.
5. Encourages students to set and maintain standards of classroom behavior.
6. Guides the learning process toward the achievement of curriculum goals and – in harmony with the goals – establishes clear objectives for all lessons, units, projects and the like to communicate these objectives to students.

7. Employs a variety of instructional techniques and instructional media, consistent with the physical limitations of the location provided and the needs and capabilities of the individuals or student groups involved. Incorporates technology into their classroom and assignments.
8. Strives to implement by instruction and action the district's philosophy of education and instructional goals and objectives.
9. Assesses the accomplishment of students on a regular basis and provides progress reports as required.
10. Diagnoses the learning disabilities of students on a regular basis, seeking the assistance of district specialists as required.
11. Takes all necessary and reasonable precautions to protect students, equipment, materials, and facilities.
12. Maintains accurate, complete, and correct records as required by law, district policy, and administrative regulation.
13. Assists the administration in implementing all policies and/or rules governing student life and conduct, and, for the classroom, develops reasonable rules of classroom in a fair and just manner.
14. Makes provision for being available to students and parents for education-related purposes outside the instructional day when required or requested to do so under reasonable terms.
15. Plans and supervises purposeful assignments for teacher aide(s) and or volunteer(s) and, cooperatively with department heads, evaluates their job performance.
16. Strives to maintain and improve professional competence.
17. Attends staff meetings and serves on staff committees as required.
18. Supervises extracurricular activities as assigned.

TERMS OF EMPLOYMENT: Ten-, eleven-, or twelve-month year. Salary and work year to be established by the Board.

EVALUATION: Performance of this job will be evaluated in accordance with provisions of the Board's policy on Evaluation of Professional Personnel.

Legal References:

Adopted: FY2012

Last review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GCA-R(2)
School Board Policy Reference Manual	

**PROFESSIONAL STAFF POSITIONS –
JOB DESCRIPTION: PROFESSIONAL SCHOOL COUNSELOR
ARLINGTON PUBLIC SCHOOLS**

QUALIFICATIONS: 1) Valid South Dakota teaching certificate with counselor endorsement
2) Master’s Degree in Counseling

REPORTS TO: Building Principals and Superintendent

JOB GOAL: To provide a comprehensive, developmental counseling program that will assist all students in making personal-social, educational, occupational, and life plans that hold promise for their individual fulfillment as mature, responsible, and productive men and women.

PERFORMANCE RESPONSIBILITIES:

1. Counsel students of all abilities with personal, social, or educational difficulties using one-on-one counseling, small groups, or classroom situations.
2. Assists students in evaluating their aptitudes, abilities, and progress in terms of graduation requirements.
3. Assist teachers in developing a team approach to planning and implementing classroom guidance.
4. Develop, facilitate, and serve as a resource person to the career education program.
5. Provide developmental counseling to all students with the focus on acceptance of self, decision-making, and effective communication
6. Confer with parents, faculty, and administrators whenever necessary and act as a liaison person between student, parent, and teacher.
7. Direct K-12 testing program and interpret test results to students, parents, faculty, and the school board.
8. Supervise the referral of students to the appropriate personnel and community service agencies.
9. Participate in program planning and curriculum development for the school.
10. Conduct orientation programs for students entering the next grade and for new students.
11. Coordinate guidance field trips to schools, colleges, and industry for interested students.
12. Arrange for and coordinate local visitation of college, vocational, armed services, and other local representatives.
13. Maintain school records and protect their confidentiality.
14. Assist with registration and academic scheduling of students.
15. Act as the primary advisor for students taking online/dual credit courses.
16. Facilitate student and parent consultation relating to scheduling and course of study to meet graduation, program, and/or scholarship requirements.
17. Provide student information and recommendations to college and/or vocational schools, potential employers, and armed services.
18. Provide information to students, parents, and teachers regarding scholarships, financial aid, and college and/or vocational school requirements
19. Promote positive attitudes and awareness of the counseling program within the school district and community.
20. Interpret the school counseling services to the community and school.
21. Assist in local evaluation and research to determine the guidance and counseling needs of the students.
22. Help coordinate in-service training for staff relating to such topics as occupational exploration, child abuse, child development, discipline, and guidance activities.
23. Perform such other duties as may, from time to time, be assigned by the administration, and/or board.

EVALUATION: Performance of this job will be evaluated in accordance with provisions of the Board's policy on evaluation of professional personnel.

Adopted: FY2020

Last review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GCB
School Board Policy Reference Manual	

QUALIFICATIONS OF TEACHERS

Every teacher employed in this school system must possess a valid certificate.

Legal References: ARSD 24:43:02:08; SDCL 13-43-5

Cross References: GCD – Professional Staff Hiring

Adopted: FY2012

Last review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GCBA
School Board Policy Reference Manual	

PROFESSIONAL STAFF SALARY SCHEDULES

The Board will adopt salary schedules for its professional staff, and each staff member will be placed on the schedule at a salary level that is commensurate with, but not limited to, the staff member's educational training, prior experience, and experience in the district. The schedule adopted by the Board will remain in effect until changed or modified by the Board.

Salary increments will be conditional upon evidence of the continued professional growth of the teacher. Employees who do not comply with the requirements of the Board and/or the state may not be granted salary increases or may not be retained on the staff.

Placement on the salary schedule will be in accordance with requirements developed by the administration and approved by the Board.

Salaries will be reviewed annually, prior to the organizational meeting of the Board in July. The superintendent will be responsible for surveying other school systems to determine salaries being paid for comparable positions in each district.

Legal References: SDCL 6-1-10

Adopted: FY2012

Last review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GCBB
School Board Policy Reference Manual	

PROFESSIONAL STAFF SUPPLEMENTARY PAY PLANS

Certain assignments require extra responsibility or extra time over and above that required of other staff members who are in the same position on the basic salary schedule. When such supplemental assignments require extra time and responsibility beyond that regularly expected of teachers, extra compensation will be rewarded.

Assignments that are to be accorded extra compensation will be designated by the Board. Recommendations for appointments to such positions will be made to the Board by the Superintendent. The amount of compensation for the position will be established by the Board at the time of appointment by following the negotiated pay scale for extracurricular.

A teacher who is offered and undertakes a supplementary pay assignment will enter into a one-year limited contract with the Board. The terms and salary for this assignment will be specified in the written teacher's contract, which is signed by the teacher, Board president and school district business manager.

If a teacher will not be extended the assignment for the following school year, but will remain on the teaching staff, they will be notified in writing, prior to the expiration of the contract.

If the assignment is terminated by the Board or by the teacher, prior to the end of the contract, the special allowance will cease.

Legal References: Reference the negotiated contract agreement for the schedule

Cross References: GCB – Qualifications of Teachers

Adopted: FY2012

Last review FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GCBCC
School Board Policy Reference Manual	

TAX SHELTERED ANNUITY PROGRAM

The School District will offer a Tax Sheltered Annuity Program intended to qualify under Section 403 (b) of the Internal Revenue Code for the benefit of its eligible employees.

The Board authorizes the Superintendent or Superintendent designee to administer the program, and act on behalf of the School Board to enter into salary reduction agreements, vendor agreements and take such steps as are appropriate to assure compliance with the Internal Revenue Service Code.

Currently the Arlington School District Tax Sheltered Annuity program is run through a third party administrator as required by federal IRS rules and regulations. This third party administrator is designated by the district.

PARTICIPATION ELIGIBILITY

All full-time salaried and regular full-time employees of the School District are eligible to participate in the 403(b) program.

Each eligible employee may elect to reduce his or her salary in a specific amount by executing the salary reduction agreement provided by the District as run through the third party administrator. The salary reduction agreement will specify the amount of the salary reduction for each eligible vendor selected.

The salary reduction agreement must specify the amount of the salary reduction, which the employee elects to have the District contribute toward the purchase of a qualified investment or an annuity contract on behalf of the employee. An employee's salary reductions for a calendar year may not exceed the maximum amounts specified in Code.

SCHOOL DISTRICT RESPONSIBILITY

The Board will annually review the 403(b) program (third party administrator) for nondiscrimination compliance.

The Board makes no representation to the employee regarding the advisability, appropriateness or tax consequences of a salary reduction agreement, participation in a tax-sheltered annuity, or the company which issues the annuity contract or which invests the employee's salary reduction funds.

No action taken by the District under this program shall be construed to create a trust of any kind or a fiduciary relationship between the District and the employee, any designated beneficiary or any other person.

The board also makes no warranty or representation to the employee that any annuity contracts or investments offered by eligible annuity vendors are qualified under Section 403(b) of the Code or that salary reductions applied to the purchase of such annuity contracts will be excluded from the gross income of the employee under Section 403(b) of the Code.

Legal References:

Adopted: FY2012

Last review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GCBD
School Board Policy Reference Manual	

PROFESSIONAL STAFF LEAVES AND ABSENCES

The Board believes that the provision of leaves helps to attract and retain faculty who will continue to grow professionally, maintain their physical health, and have a feeling of security. This is done by:

1. Providing the employee with an opportunity for continued professional growth.
2. Encouraging the employee to take the necessary time to recuperate from illnesses.
3. Providing the employee with income in the event of illness or accident.
4. Providing a way for the employee to arrange for absence in the event of an emergency.
5. Cooperating with the employee in arranging time for the performance of certain obligations or for other personal purposes that can be accomplished only during school time.

Leave requests will be made to the Superintendent or designee. All requests for long-term leaves of absence will be submitted by the Superintendent, along with his/her recommendation, for Board approval.

Legal References:

Adopted: FY2012

Last review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GCBDC
School Board Policy Reference Manual	

JURY DUTY

Any certified 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. Any per diem (excluding mileage, meals, or lodging) received for jury duty or the designated subpoena absence will be submitted to the business office or deducted from the regular salary. 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.

Any classified 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. Any per diem (excluding mileage, meals, or lodging) received for jury duty or the designated subpoena absence will be submitted to the business office or deducted from the regular salary. The staff member will notify his or her supervisor as soon as practical to make the necessary arrangements for a substitute when such leave must be taken.

Legal References: SDCL 16-13-41

Adopted: FY2012

Last review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GCBDD
School Board Policy Reference Manual	

MILITARY LEAVE

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 102 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.

THE DISTRICT SHOULD ELECT ONE OF THE FOLLOWING PAY OPTIONS, OR THE DISTRICT MAY ELECT ANOTHER OPTION.

**** Note: USERRA does not require an employer to pay employment wages while an employee is on military leave. Whether or not to pay wages, and if wages are paid under what circumstances is for the employer to decide. Military leave pay is mandatory subject of collective bargaining with the employee bargaining unit(s).**

[OPTION 1] If military pay is greater than the employee's wages, the employee shall not receive employment wages while on military leave. If daily military pay is less than the employee's regular daily pay, the employee shall be paid the difference by the District up to a maximum of fifteen (15) days. Military leave in excess of fifteen (15) days shall be leave without pay.

[OPTION 2] If military pay is greater than the employee's wages, the employee shall not receive employment wages while on military leave. If daily military pay is less than the employee's regular daily pay, the employee shall be paid the difference by the District.

[OPTION 3] Military leave shall be leave without pay.

Legal References: USC Title 38 4301-4335; SDCL 3-12-86

Adopted: FY2012

Last review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GCBDE
School Board Policy Reference Manual	

FAMILY AND MEDICAL LEAVE

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.

Legal References: CFR Title 29 Part 825 – The Family and Medical Leave Act of 1993

Adopted: FY2012

Last review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GCBDE-R(1)
School Board Policy Reference Manual	

FAMILY AND MEDICAL LEAVE - PROCEDURES (Regulation)

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.

Legal References: CFR Title 29 Part 825 – The Family and Medical Leave Act of 1993

Adopted: FY2012

Last review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GCBDF
School Board Policy Reference Manual	

NURSING MOTHERS

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.

Legal References: USC Title 29 §207(r)(2); SDCL 25-5-35

Adopted: FY2020

Last Review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GCBE
School Board Policy Reference Manual	

VACATIONS AND HOLIDAYS – PROFESSIONAL STAFF

The school calendar, as adopted by the Board, will establish the school recess periods and holidays for all professional staff members employed on a school-year basis.

Except as holidays have been declared for the school district or vacation days have been scheduled, all professional staff members employed on a 12-month basis (260 work days per year) will be expected to work during the recess periods of the school year (Unless negotiated into the professional staffs negotiated agreement.)

VACATIONS

All professional staff members employed on a 12-month basis will receive a vacation during the school year according to the following schedule:

1. From 1 to 4 years of employment, an employee will receive 20 days vacation.
2. After 5 years of employment, an employee will receive 25 days vacation.

All requests for vacation will be submitted to the superintendent for approval. Vacations will be allowed provided they do not hinder the operation of the schools.

Legal References: SDCL 1-5-1

Adopted: FY2012

Last Review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GCC
School Board Policy Reference Manual	

PROFESSIONAL STAFF RECRUITING

The Board desires the Superintendent to develop and maintain a continuous recruitment program designed to attract and hold the best possible professional personnel in the district's schools.

It is the responsibility of the Superintendent, with the assistance of other district administrators, to determine the personnel needs of the district and the individual schools, and to locate suitable candidates to recommend for employment.

The search for good teachers and other professional employees will extend to a wide variety of educational institutions and geographical areas. It will take into consideration the diversified characteristics of the district and the need for a bi-racial staff and for teachers of various cultural backgrounds.

Recruitment procedures will not overlook the talents and potential of individuals already employed by the district. As vacancies occur, the Superintendent will provide that notices be posted in faculty rooms of all school buildings. Any present employee of the Board may apply for any position for which he has certification and meets other stated requirements.

Legal References:

Cross Reference: GCD – Professional Staff Hiring

Adopted: FY2012

Last review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GCD
School Board Policy Reference Manual	

PROFESSIONAL STAFF HIRING

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.

No candidates will be hired without an interview.

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.

The District may offer and, upon the signing of a contract by both parties, pay a signing bonus, moving expenses, or tuition reimbursement to a teacher hired to teach in the District. The signing bonus, moving expenses, or tuition reimbursement may be paid either in one lump sum upon completion of the teacher's first year of employment in the District, or in installments over a period not to exceed three years from the date the teacher signed a contract of employment with the District, and upon the terms and conditions as may be mutually agreed upon by the School Board and the teacher. Any signing bonus, moving expenses, or tuition reimbursement authorized by the School Board is in addition to any amount payable under a negotiated teacher's contract. The School Board may, but is not required to, negotiate any signing bonus, moving expenses, or tuition reimbursement payment with the teacher's designated collective bargaining representative.

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.

Legal References: ARSD 24:15; SDCL 13-10-2; SDCL 13-10-2; SDCL 13-13-17; SDCL 13-42; SDCL 13-43; 13-43; SDCL3-3-1

Cross References: GBA - Equal Opportunity Employment; GCB – Qualifications of Teachers; GCG - Professional Staff Recruiting

Adopted: FY2012

Last review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GCDB
School Board Policy Reference Manual	

CRIMINAL BACKGROUND CHECKS

Definitions

Authorized Persons: Individuals determined by the superintendent or designee to need access to or need to view criminal history record information in their official capacity with the district.

Criminal History Record Information (CHRI): A criminal history of an individual obtained through the South Dakota Division of Criminal Investigation (SDDCI) and/or the Federal Bureau of Investigation (FBI) using the individual's fingerprints. CHRI includes information on the arrest, detention, complaint, indictment or former criminal charge of an individual as well as the disposition of any charges. The FBI rules differ from the DCI rules regarding the disclosure of criminal history record information.

Criminal Justice Information Services (CJIS): The FBI's Criminal Justice Information Services Division, or CJIS, provides a range of state-of-the-art tools and services to law enforcement, national security and intelligence community partners, and the general public. Its purpose is to equip law enforcement, national security, and intelligence community partners with the criminal justice information needed to protect the United States and the public. The CJIS Division was established in 1992 to serve as the focal point and central repository for criminal justice information services in the FBI. It is the largest division in the FBI.

Local Agency Security Officer (LASO): liaison with SDDCI to ensure the agency is in compliance with security procedures. The LASO shall (1) maintain a list of users who have access to CHRI, (2) Identify and maintain a list of persons who are authorized to use the approved hardware, software and firmware to access CHRI and ensure no unauthorized individuals have access to this technology, (3) identify and document how the equipment is connected to the state system, (4) ensure that personnel security screening procedures are being followed, (5) ensure that approved and appropriate security measures are in place and working as expected, (6) promptly notify the SDDCI of any security incidents, and (7) support any district security audits.

Noncriminal Agency Coordinator (NAC): primary contact person for the District who serves as the liaison between the District and SD Division of Criminal Investigation, responsible for notifying SDDCI when a new employee starts or an employee leaves so SDDCI can keep CJIS Security training records current and such other duties as required.

Point of Contact (POC): District's contact person when SDDCI sends out Audit information, the contact person when an onsite Audit is scheduled.

Security Incident: An act of violating an explicit or implied security policy regarding CHRI including, but not limited to (1) attempts (either failed or successful) to gain unauthorized access to a system or its data, (2) unwanted disruption or denial of service, (3) the unauthorized use of a system for the processing or storage of data, and (4) changes to system hardware, firmware or software characteristics without the district's knowledge, instruction or consent.

Policy Statement

The District is committed to providing a safe learning and working environment. The District will require each person over eighteen years of age hired by the district, or who is a volunteer two or more times during the

school year, to submit to a criminal background investigation, by means of fingerprint checks by the Division of Criminal Investigation and the Federal Bureau of Investigation. Also, any person who is employed by an entity which provides the District with student services shall be required to submit to a criminal background investigation. The district and its employees, officers and agents will only obtain CHRI when authorized by law and will only use CHRI, or the personally identifiable information first obtained by the district in CHRI, for the purposes of determining whether a person should be employed by the district.

In accordance with law and to protect the district's students, criminal background checks on persons who are employed in the district, who volunteer two or more times during the school year, or are employed by an entity which provides the District with student services shall be required. Examples of non-school entities which provide student services include but are not limited to food service and bus service contractors. The criminal background investigation shall be done by means of fingerprint checks by the Division of Criminal Investigation. If no disqualifying record is identified at the state level, the fingerprints shall be forwarded by the Division of Criminal Investigation to the Federal Bureau of Investigation for a national criminal history record check. The district and district employees will comply with state and federal law, rules, procedures and policies regarding the receipt, use and dissemination of criminal history record information of any individual.

Designations

1. The Superintendent, as the Agency Representative, is responsible for signing the SD Division of Criminal Investigation (SDDCI) User Agreement on behalf of the District.
2. The Superintendent shall be the District's Point of Contact (POC) and Noncriminal Agency Coordinator (NAC) to act as the primary contact person for the District, shall serve as the liaison between the District and SD Division of Criminal Investigation, and will fulfill all responsibilities of the POC/NAC, including but not limited to being the contact person when SDDCI sends out Audit information, shall be the contact person when an onsite Audit is scheduled, and responsible for notifying SDDCI when a new employee starts or an employee leaves so SDDCI can keep CJIS Security training records current.
3. The Superintendent is designated to be the Local Agency Security Officer (LASO) to act as liaison with SDDCI to ensure the agency is in compliance with security procedures. The LASO shall be knowledgeable in CHRI, policies and mandated rules and regulations as well as knowledge of IT security procedures. The LASO shall actively represent the District in all matters pertaining to information security, dissemination of information security alerts and other material within the District, and responsible for contacting SDDCI if there has been misuse of CHRI.

Criminal Background Checks

1. Each person over eighteen years of age hired by the district, who is a volunteer two or more times during the school year, or is employed by an entity which provides the District with student services shall be required to submit to a criminal background investigation.
2. The school district shall submit completed fingerprint cards to the Division of Criminal Investigation before the prospective new employee or volunteer enters into service.
3. If no disqualifying record is identified at the state level, the fingerprints shall be forwarded by the Division of Criminal Investigation to the Federal Bureau of Investigation for a national criminal history record check.
4. The District shall pay any fees charged for the cost of fingerprinting or the criminal background investigation for any person whose employment with the District or status as a volunteer is subject to the requirements of this section.
5. Any person hired to officiate, judge, adjudicate, or referee a public event sponsored by a school district is not required to submit to a criminal background investigation.
6. Any person whose employment or status as a volunteer is subject to the requirements of this section may enter into service on a temporary basis pending receipt of results of the criminal background investigation. The District may, without liability, withdraw its offer of employment or terminate the temporary employment or status as a volunteer without notice if the report reveals a disqualifying record.
7. The criminal investigation required by this section with respect to a student teacher completing requirements for teacher certification shall be conducted by the District, and the District may rely upon the results of that

investigation for employment of that person as an employee of the district. Results of a criminal background investigation conducted by another South Dakota public school district of a student teacher, hired by the District, may be relied upon by the District.

- 8.A District employee who is employed simultaneously with another school district is only required to obtain one criminal background investigation, if the background investigation was conducted less than five years before the person was first employed by the District.
9. The District shall run a background check on employees of contractors that provide the district with student services. Examples of contractors which provide student services include but are not limited to food service and bus service contractors. The contractor shall be responsible for the cost of the criminal background check.
10. No person may be employed by the District, either directly or by contract, and no person employed by a contract provider and who would have direct student responsibilities may provide direct student services, if the person has been convicted of a crime of violence (murder, manslaughter, rape, aggravated assault, riot, robbery, burglary in the first degree, arson, kidnapping, felony sexual contact, felony child abuse, or any other felony in the commission of which the perpetrator used force, or was armed with a dangerous weapon, or used any explosive or destructive device), sex crimes (including but are not limited to, rape, felony sexual contact with a minor under sixteen, sexual contact with a person incapable of consenting, possessing, manufacturing, or distributing child pornography, and sexual exploitation of a minor), or distribution or trafficking in controlled substances or distribution of marijuana.
 - a. The District may also refuse to employ a person who has been convicted of a crime involving moral turpitude. "Moral turpitude" is defined "an act done contrary to justice, honesty, principle, or good morals, as well as an act of baseness, vileness, or depravity in the private and social duties which a person owes to his fellow man or to society in general.
 - b. The District may consider any criminal conviction in making a hiring decision. The District has the sole and absolute discretion to determine whether the results of a criminal background investigation disqualify a person from employment within the District.
 - c. For purposes of this policy, the term conviction means a plea or verdict of guilty or a conviction following a plea of nolo contendere (no contest) in this state or any other state.
11. The District's employment application form shall inform applicants that if no SD statutorily disqualifying conviction is identified at the state level the fingerprints will be forwarded by the S.D. Division of Criminal Investigation to the Federal Bureau of Investigation for a national criminal history record check.
12. The application form shall also inform applicants that if the applicant believes the criminal background result is incorrect or incomplete in any respect and the applicant wishes changes, corrections or updating of the alleged deficiency, the applicant should make application directly to the agency which contributed the questioned information or direct the applicant's challenge as to the accuracy or completeness of any entry on the applicant's record to the FBI, Criminal Justice Information Services (CJIS) Division, ATTN: SCU, Mod. D-2, 1000 Custer Hollow Road, Clarksburg, WV 26306.
13. Should an applicant be disqualified from employment due to the results of a criminal background check, the District shall inform the applicant that the criminal background check results prohibit the District from employing the person. The District will not delay the employment hiring decision solely because the applicant seeks to correct his or her FBI criminal history record information (CHRI).
14. Before a person's conditional employment is terminated as a result of the person's CHRI, the District shall inform the person whose conditional employment is subject to termination that the criminal background report reveals a conviction which prohibits the District from employing the person, and inform the person of his or her right to appeal the accuracy or completeness of the CHRI to the SDDCI or FBI. Employees shall be afforded procedural due process consistent with their employment status (i.e., whether the person is an employee-at-will, a school-year employee, or a ten month or twelve month employee) should termination of conditional employment be a possibility following the District's receipt of the CHRI.
15. All employees and other persons required to submit to a criminal background check pursuant to this policy must notify the district in writing if they are convicted of any offense of domestic violence, child abuse, sex offense, drug (including marijuana) or any felony offense. This notification must be made as soon as possible, but no later than five business days after the event.
16. The District reserves the right to require any employee or volunteer to submit to additional criminal background checks at the district's expense. The district reserves the right to require any employee of an

entity which provides the District with student services to submit to additional criminal background checks which shall be at the entity's or person's expense.

17. As required by state law, SDCL 13-10-15, if, as the result of a criminal conviction the school board suspends an employee without pay, or an employee resigns, or an employee is terminated, the superintendent shall within ten days of the date of the suspension or the date the employment is severed report the circumstances and the name of the employee to the S.D. Department of Education.

Training

The District will ensure that all employees who have access to CHRI shall be trained by SDDCI on the rules and responsibilities for the confidentiality, receipt, use and dissemination of the CHRI.

Confidentiality

1. Before requesting CHRI on any individual, the district will give the individual written notification that his or her fingerprints will be used to obtain the CHRI of the individual, and the district will provide the individual a copy of the statement "Noncriminal Justice Applicant's Privacy Rights." Exhibit GCDB-E(1).
2. Information received by the district pursuant to a criminal background check is confidential. Only authorized persons within the district may access, view or use CHRI. Authorized persons may not share or otherwise disclose information contained in CHRI to unauthorized persons unless explicitly allowed for in this procedure.
3. Unless otherwise allowed by law, the District will only use this information for the district's internal purposes in determining the suitability of an applicant, employee, or other worker on district property. The district will note in an employee's or applicant's personnel file that the background check was completed and if the person was disqualified by the CHRI for employment or assignment. The District will keep the CHRI in a separate file in a location that is only accessible to persons who need to know the information to carry out their responsibilities with the District.
4. Individuals that have access to CHRI will receive CJIS security training provided by SD DCI. Once the individual has completed the CJIS online training and has taken the test each individual will receive and acknowledge in writing the receipt of the following: (1) User Rules of Behavior Acknowledgement form, (2) CHRI Disciplinary Policy, and (3) Acknowledgment Statement of Misuse. The District will keep a copy of the signed documents in each individual's personnel file.

Access and Retention

1. The District may print or electronically share records when necessary to determine whether the person is authorized to work for the district. In those situations, the physical or electronic copy will be destroyed immediately after the decision is made.
2. If the District runs a background check on employees of a contractor that does business with the district, the district will not provide the CHRI to the contractor. Instead, the district will provide a clearance letter notifying the contractor whether the employee is cleared to provide services in the district.
3. The District will not disseminate CHRI across state lines.
4. Upon request the district will provide a copy of the SDDCI CHRI to the person who is the subject of the background check. The SDDCI CHRI will only be released to the individual and not to relatives, spouses or friends. The District will note in the dissemination log that a copy was provided to the individual.
5. FBI rules prohibit the District from providing a copy of the FBI CHRI to the person who is the subject of the criminal background check.
6. The results of the background investigation done by the District shall be transferred to another South Dakota public school district if the other public school district, or current District employee, submits a written request to the District that the results be transferred to the other public school district. The District employee who was the subject of the criminal background investigation must sign a written release authorizing the transfer. The information will be sent by U.S. Mail or encrypted email.

Recordkeeping

A Secondary Dissemination Log shall be maintained in which all authorized disseminations of FBI and State DCI criminal background check results are recorded. The following shall be recorded in the District's Secondary Dissemination Log:

1. name of District;
2. name of person subject to the criminal background check review;
3. date of birth of person subject to the criminal background check review;
4. SD public school district requesting FBI and DCI criminal background check results and person/title requesting on behalf of the SD public school district;
5. written request signed by person subject to the criminal background check review for a copy of the SDDCI criminal background check results, attached to the Secondary Dissemination Log; NOTE: FBI CHRI cannot be released to the person who is the subject of the criminal background check.
6. date of release of criminal background check results;
7. description of the record that was shared;
8. how the record was sent or received
9. person to whom criminal background check results were disseminated;
10. signature of District employee disseminating the criminal background check review pursuant to a valid request.

The Secondary Dissemination Log shall be maintained until the onsite audit is complete and the District receives from the SD Division of Criminal Investigation written notice of a successful Policy Compliance Review, unless the log is needed or required for other purposes

Security

The district will provide for the security of any CHRI received, including the appropriate administrative, technical and physical safeguards to provide for the security and confidentiality of the information. This includes, but is not limited to, the following:

1. The LASO shall maintain a list of school district authorized persons who have access to CHRI.
2. In those cases when the District has physical copies of CHRI, the District will restrict access to authorized persons only. Physical copies of CHRI, if any, will be maintained in a controlled, secure environment, such as a locked cabinet in a room that is free from public or unauthorized access. The room or the locked cabinet will include an "Authorized Personnel Only" sign.
3. The District will not routinely maintain electronic copies of CHRI; however, in the rare instance where the district has electronic copies of CHRI, the district will restrict access to authorized persons only. Electronic data will be protected with encryption as designated by the state or federal government or will only be accessible by individual password. Computers, printers and monitors used to access CHRI must be situated to prevent unauthorized viewing of the information. CHRI cannot be accessed using computers available to the general public or personal devices. CHRI will not be stored on a server that is unprotected or accessible by an unauthorized entity.
4. CHRI will not be relocated, transmitted or transported outside a secure location unless encrypted according to FBI standards or transported in a locked container or in folders where the information is not visible to the public. A log must be kept if electronic information systems, such as a laptop, flash drive or CD with CHRI information on it, leaves a secured area.
5. The District will dispose of records securely. Physical records will be cross-shredded or incinerated. If the district contracts out for record destruction, the destruction must be supervised. The District shall notify SDDCI of the entity with whom the District contracts for records destruction and must receive SDDCI approval to use the contractor for purposes of disposing of CHRI. Electronic records will be deleted and overwritten as required by the SDDCI or FBI.
6. The District will not provide auditors access to CHRI unless the auditor is authorized by the SDDCI or the FBI.

Security Incident Response Plan

All District employees will immediately report to the LASO information security incidents such as the theft or loss of physical records or the hacking or failure of electronic systems or suspicions that an incident has or will take place. The LASO will document receipt of all reports, investigate incidents and report incidents to SDDCI. LASO documentation will include (1) date of security incident, (2) location of security incident, (3) systems affected, (4) method of detection, (5) nature of security incident, (6) description of security incident, (7) actions taken/resolution, (8) current date, and (9) contact information for LASO.

Consequences

Employees who fail to keep background check results confidential or fail to follow this policy or any laws or rules regarding the access, receipt, use or dissemination of CHRI as required by law will be subject to disciplinary action up to and including termination. Unauthorized requests, receipts, release, interception, dissemination or discussion of CHRI may also result in criminal prosecution.

Notes: State law requires criminal background checks for all school employees over eighteen (18) years of age. School Districts may require background checks on other people such as volunteers and employees of independent contractors that provide student services for the District. This sample policy states that a volunteer must have a background check if the person volunteers two or more times during the school year. If the District chooses to require volunteers to have criminal background checks, the District would need to determine the number of times a person volunteers before a criminal background check is required.

Legal References: SD Division of Criminal Investigation; SDCL 13-10-12; SDCL 13-10-13; SDCL 13-10-14; SDCL 13-10-15; SDCL 13-10-16; SDCL 22-1-2 (9); SDCL 22-1-2 (25); SDCL 22-24B-1; CFR Title 28 16.34; CFR Title 28 50.12

Adopted: FY2012

Last review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GCDB-E1
School Board Policy Reference Manual	

CRIMINAL BACKGROUND CHECKS NONCRIMINAL JUSTICE APPLICANT'S PRIVACY RIGHTS

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

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

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

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

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

(1)Written notification includes electronic notification, but excludes oral notification.

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

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

Adopted: FY2020

Last review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GCE
School Board Policy Reference Manual	

PART-TIME AND SUBSTITUTE EMPLOYMENT – PROFESSIONAL STAFF

PART-TIME TEACHERS

Upon the recommendation of the Superintendent, the Board will approve or reject the employment of part-time teachers consistent with the needs of the school district.

A part-time certificated teacher, if employed for the full school term, will attain continuing contract status the same as a full-time teacher.

Part-time teachers will meet all necessary certification requirements, and any non-unit part-time teachers will be compensated for their work on a pro-rated basis commensurate with their placement on their salary schedule.

SUBSTITUTE TEACHERS

The employment of substitute teachers will be centralized for the district in the office of the Superintendent. To the extent possible substitute teachers must meet the requirements for teacher appointments and will be assigned substitute teaching positions on the basis of their areas of competence. The Board will set the daily rate of pay for substitute teachers, including extended-term substitutes. The latter will be granted such additional benefits as approved by the Board.

Principals will assume/delegate responsibility for the scheduling of substitutes from the approved list as needed.

Legal References:

Adopted: FY2012

Last review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GCF
School Board Policy Reference Manual	

HIRING RETIRED EMPLOYEES

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.

Legal References: SDCL 3-12-111.1; SDCL 3-12-199; SDCL 3-12-200; SDCL 3-12-47(90); SDCL 3-12-70; SDCL 3-12-81.1; SDCL 3-12-82; SDCL 3-12-88; SDCL 3-12-90

Adopted: FY2012

Last review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GCI
School Board Policy Reference Manual	

PROFESSIONAL STAFF ASSIGNMENTS AND TRANSFERS

Professional personnel will be assigned on the basis of their qualifications and the needs of the school district.

Vacancy/transfer policy: Taken from negotiated agreement (amended April 2013)

1. The board of education will fill vacancies from within the teaching staff whenever possible. Whenever a vacancy arises, the principal shall be responsible for posting the vacancy in his/her office, the teacher's workroom, and sending via email to all certified staff members.
2. Request by a teacher for a voluntary transfer to a different class must be made to the principal in writing within two weeks of the posting. The written request will be shared with all administration and the school board.
3. Whenever a vacancy exists or is anticipated, an involuntary transfer may be made when, based upon the principal's recommendations, the transfer is considered desirable or necessary. Involuntary transfers shall be made on the basis of the teacher's experience, competency, qualifications, and the length of uninterrupted service in the district.

In the event that an involuntary transfer is to be made, the following shall apply:

1. The transfer shall be made only after a meeting with the teacher and the principal.
2. In the event that the teacher's objections to transfer are not resolved by meeting and conferencing with the principal, he/she shall be offered the right to meet with the superintendent.
3. In the event that the teacher is not satisfied with the decision he/she may utilize the grievance policy to resolve the problem.
4. In the event the school district needs to assign, after August 1st of the current contract year, a class to a teacher and the teacher did not teach the class the last school year or volunteer to be reassigned, a minimum of \$500.00 compensation will be made for that late assignment.
5. In the event the board requests a staff member to recertify in a subject area not currently qualified to teach, the board will dispense a grant in advance based on verified undergraduate credit cost, books, study guides, tests, etc. The form for this request will be held in the business office and must be approved by the superintendent before going to the board. The person will then be required to teach in the district for a minimum of one year following the agreed upon completion of their new certification. Failure to follow this requirement will require the grant to be repaid to the district.

Legal References:

Adopted: FY2012

Last Review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GCJ
School Board Policy Reference Manual	

PROFESSIONAL STAFF TIME SCHEDULES

ADMINISTRATORS

The nature of the duties and responsibilities of administrators and supervisors will require their hours of work to vary and extend as necessary to fulfill the requirements of their positions.

Administrators will be expected to work during the hours and on the days that the Superintendent's office is open unless special arrangements have been made with the Superintendent. On days schools are closed because of bad weather or other emergencies, all staff members, except those who work only on teacher work days, are required to report to work as negotiated in master contracts.

The work year for administrators will be established individually through their contracts.

TEACHERS

Generally, the working day for teachers will be determined by the hours established for students. Teachers will arrive by 8:00 AM unless an alternative schedule has been set at least 30 minutes prior to the time students arrive and be available until 4:00 P.M., Monday – Thursday for an hour after the school day for conferences with students, parents, and administrators, as well as to take care of other professional responsibilities. Exceptions to the after-school time requirements will be permitted on days preceding weekends, holidays, and recess periods.

Every effort will be made by the administration to provide a uniform workday for teachers at the various levels.

The work year for teachers will be established in connection with the Board's adoption of the school calendar and the negotiated agreement.

Legal References:

Adopted: FY2012

Last review: 2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GCK
School Board Policy Reference Manual	

PROFESSIONAL STAFF WORK LOAD

Teachers will be expected to assume reasonable duties over and above their regular classroom teaching responsibilities; however, the administration will attempt to make equitable distribution of work among the staff. Activities and services which make minor demands on the teacher's time (such as student registration, attendance-keeping and record-keeping, reporting to parents, supervision of students, and the request for, care of, and accounting for instructional materials) will be part of each teacher's assignment.

Extra responsibilities that make major demands on a teacher's time will be rewarded with extra compensation. Such jobs and the compensation therefore, will be in accordance with a schedule approved by the Board. These types of compensation can be found in the certified negotiated agreement.

ATTENDANCE AT MEETINGS

Teachers are expected to attend faculty meetings, which are held in each building, unless they are excused, for valid reason, by the principal. General faculty meetings and other professional and in-service activities are considered part of the regular assignment of instructional personnel.

Legal References:

Cross References: GCBB - Professional Staff Supplementary Pay Plans

Adopted: FY2012

Last review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GCL
School Board Policy Reference Manual	

PROFESSIONAL STAFF DEVELOPMENT OPPORTUNITIES

Continuing professional growth and increasing effectiveness on the part of the entire staff is essential for the success of educational programs and school operations. The continual professional growth of all staff members on an individual basis and through planned in-service programs will be encouraged. Such opportunities may include, within budgetary limitations, special in-service courses and workshops, summer study grants, school visitations, and attendance at professional conferences and meetings.

IN-SERVICE EDUCATION

The Superintendent will work with other school districts, local colleges and universities, and the Division of Elementary and Secondary Education to provide in-service education for teachers. The Board will encourage the development of in-service education by:

1. Conducting district wide assessment of in-service education needs;
2. Ranking in-service education needs in relation to district goals;
3. Developing criteria for effective in-service education activities;
4. Developing travel and professional leave policies in cooperation with teachers;
5. Developing a calendar that includes days for in-service education;
6. Developing cooperative relationships with agencies that provide in-service education;
7. Establishing an in-service education committee composed of teachers and administrators;
8. Identifying resources for in-service education;
9. Assessing the effectiveness of in-service education activities in relation to district goals.

In recognition of, and as an incentive to, professional development, the salary schedules for non-unit professional personnel will reflect advanced training. In-service courses, as well as university work in the non-unit professional staff member's area of specialization, will be recognized for purposes of salary advancement.

The Superintendent will have authority to approve released time for conferences and visitations, and reimbursements for expenses, provided such activities are within budget allocations. The Board may authorize without loss of pay, teacher attendance at an annual professional association meeting if the teacher is not away from his regular duties for more than three consecutive days.

Legal References: SDCL 13-26-4; 13-26-4.1

Adopted: FY2012

Last review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GCN
School Board Policy Reference Manual	

PROFESSIONAL TEACHING STAFF EVALUATION

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.

Legal References: ARSD 24:57:02; SDCL 13-42-34; SDCL 13-42-36; SDCL 13-42-70; SDCL 3-18

Cross References: CGB – Business Manager Evaluation; CI – Administrative Staff Evaluation; CBG – Superintendent Evaluation; GDN – Support Staff Evaluation

Adopted: FY2020

Last Review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GCN-E(1)
School Board Policy Reference Manual	

PROFESSIONAL TEACHING STAFF EVALUATION FORM

The guidelines enumerated below are listed as a framework to enable the observer and the teacher to more fully understand criteria considered in the evaluation process. Obviously, this cannot be an all-inclusive list, but does include the most common areas of concern.

1. Personal Appearance and Manner

- a. Is clean and well groomed.
- b. Shows respect, concern and warmth for others.
- c. Speaks clearly--uses good English--has a pleasant voice.

2. Emotional Stability

- a. Is calm and mature in reactions, shows good judgment.
- b. Has a cheerful disposition.
- c. Shows confidence, poise and relaxation.
- d. Realizes the importance of having a sense of humor.

3. Reliability

- a. Can be depended upon to fulfill school obligations.
- b. Completes assigned tasks.
- c. Uses supplies and equipment efficiently.
- d. Observes school hours--starts and dismisses classes on time.

4. Staff Relations

- a. Cooperates with administrators, supervisors and colleague
- b. Uses discretion in speaking of his school, students, administrators, Board, colleagues and parents.
- c. Accepts group decisions without necessarily agreeing.
- d. Accepts constructive criticism or recognition.
- e. Carries his share of out-of-class responsibilities.
- f. Considers own program a part of total school program.
- g. Able to adjust to changes and procedures.

5. Community Relationships

- a. Works and cooperates with parents.
- b. Supports activities, which strengthen school/community ties.
- c. Uses community resources and resource people in various capacities.

6. Teaching Techniques

- a. Helps students set appropriate goals.
- b. Provides for individual differences.
- c. Conducts interesting, varied and stimulating classes.
- d. Plans carefully, but is flexible in utilizing immediate educational opportunities.
- e. Develops constructive, creating thinking.
- f. Stimulates student participation.
- g. Makes assignments clear, challenging and applicable.

7. Classroom Environment

- a. Maintains a neat, attractive and safe classroom.

- b. Has room arranged for maximum student stimulation and accomplishment.
- c. Recognizes each student's needs.

8. Student Growth

- a. Helps students develop good study and work habits.
- b. Helps students achieve class objectives.
- c. Helps students evaluate themselves and encourages them to do their best.
- d. Helps students apply their learning experience in everyday living.

9. Student Control

- a. Has a minimum of behavior problems.
- b. Provides the environmental climate conducive to self-discipline and good citizenship.
- c. Handles routine behavior problems himself.
- d. Seeks assistance when a serious problem arises.

10. Professional Qualities

- a. Is proud of his profession and attempts to promote respect for it.
- b. Complies with administrative requests.
- c. Does not abuse privileges.
- d. Is growing professionally through study, experimentation and participation in professional activities.
- e. Is critical of and constantly trying to improve his own work.
- f. Initiates or participates in activities designed to meet the needs of his particular school.
- g. Possesses adequate subject matter background.

Principal has observation form.

Adopted: FY2020

Last Review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GCPA
School Board Policy Reference Manual	

REDUCTION IN PROFESSIONAL STAFF WORK FORCE

Staff reduction occurs when the Board eliminates all or part of an existing position held by anyone to whom continuing contract rights apply.

STAFF REDUCTION POLICY: (Amended April 2003 Master Contract)

Whenever in the judgment of the School Board it is advisable to reduce staff in the district, the following procedure will be used:

1. The Superintendent will communicate, in writing, to the AEA the situation confronting the district so as to allow the AEA a reasonable opportunity to present possible alternatives in writing.
2. Whenever in the judgment of the Board it is advisable to reduce staff in the district the Board may consider the following, not necessarily in order of priority, any of which may be used in determining which staff members will be non-renewed: Student needs, financial condition of district, prior evaluation records, competency, qualifications, certification, longevity, educational background, continuing contract status, federal mandates, and any other relevant considerations. In making staff reduction involving professional staff members on continuing contract status the Board will follow the provisions of SDCL 13-43-9.1, 12-43-10.1.
3. Any teacher laid off pursuant to this policy shall have recall rights to any position for which he or she is certified. For a period of two (2) calendar years from the effective day of such a lay off, any teacher(s) laid off shall be recalled to available positions in the reverse order of their lay off. Laid off teachers shall be notified by certified mail, sent to the teacher's address on file with the board, of vacancies for which they are certified. Failure to respond to such notification with twenty (20) calendar days of mailing such notification shall result in the termination of the teacher's right to recall hereunder. A recalled teacher shall retain previous local experience. Recall privileges cease when a staff member resigns.

Legal References:

Adopted: FY2012

Last Review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GCPB
School Board Policy Reference Manual	

RESIGNATION OF PROFESSIONAL STAFF MEMBERS

If a professional staff member intends to resign from his position, notice must be given to the Board at the time of contract renewal. Should a professional staff member resign at a time other than that of contract renewal, Board approval will be required to dissolve the contract. The professional staff member may be required to pay liquidated damages as follows according to the negotiated agreement.

ARTICLE XI

LIQUIDATED DAMAGES: (Amended May 2004) Master Contract

If no mutual consent as to the termination exists and if the teacher initiates the termination of this contract prior to its terminal date, the school district may withhold any money due the teacher or collect from the teacher the sum of two hundred dollars as liquidated damages if such termination occurs on or before June 1st, the sum of five hundred dollars if such termination occurs on or before July 1st, the sum of seven hundred fifty dollars, if such termination occurs on or before August 1st, and the sum of \$1250 if the termination occurs after August 1st.

It IS HEREBY AGREED that the amounts herein specified are fair and reasonable damages for BREACH OF CONTRACT as provided in SDCL 53-9-5. It is FURTHER AGREED that the assessment of liquidated damages shall not preclude the school district's utilization of SDCL 13-42-9 on revocation of certificate.

Legal References: SDCL 13-43-6 through 13-43-6.6

Cross References: GCD - Professional Staff Hiring; GCG - Professional Staff Probation and Tenure

Adopted: FY2012

Last Review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GCPC
School Board Policy Reference Manual	

RETIREMENT OF PROFESSIONAL STAFF MEMBERS

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.

Article XIV

RETIREMENT POLICY:

1. Any teacher who has attained the minimum age of 55 but has not reached age of 62 as of August 31, of the current contract year, and who has been employed by the district for at least ten (10) years, and who has complied with the terms and conditions of this policy may elect early retirement, and upon such early retirement shall be entitled to receive a cash benefit of 70% of the final gross teaching salary.
2. The cash benefit shall be payable in one (1) to two (2) equal annual installments, the first installment on January 20 immediately following retirement, and an installment the following January 20, until paid in full. No interest shall be payable.—The number of installments and the date of the first installment must be indicated by the teacher on a form prescribed by the Business Manager no later than April 1st of the retirement year
3. In order to qualify for an early retirement benefit hereunder, the teacher shall notify the superintendent and business manager in writing of the teachers intention to retire no later than February 1st of the year in which such retirement shall occur. Such retirement must occur at the end of the contract term and may not commence during the term.
4. In the event a teacher entitled to benefit hereunder, should die while all or part of such benefit remains unpaid, such unpaid benefit or part thereof, shall be paid in accordance with paragraphs 1 and 2 of this policy to the beneficiary designated in writing by the employee on a form prescribed by the Business Office of the District. In the event no beneficiary designation has been made, the unpaid benefit shall be paid in full, in one payment, to the estate of the deceased teacher. Payment by the district in accord herewith, shall fully discharge the district's obligation under this policy.
5. The local early retirement policy will end after the 2019-2020 school year.

Legal References: USC Title 29 Chapter 14; SDCL 13-10-3; SDCL 13-10-4; SDCL 13-10-6; SDCL 13-10-8; SDCL 3-12

Adopted: FY2012

Last Review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GCPD
School Board Policy Reference Manual	

SUSPENSION AND DISMISSAL OF PROFESSIONAL STAFF MEMBERS

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

An employee may be suspended without pay or an employees 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. The Board, the teacher, and the administration may have counsel present. It is recommended that a court reporter be used.

After the hearing, or if a hearing is not requested, the Board will make its determination by majority vote in open session. Any order of termination of contract will state the grounds for termination of teachers who have continuing contract status.

Legal Reference: SDCL 13-10-15; SDCL 13-43-6.1; SDCL 13-43-6.2; SDCL 13-43-6.3; SDCL 13-43-6.4; SDCL 13-43-6.5; SDCL 13-43-6.6; SDCL 13-43-6.7; SDCL 13-43-6.8; SDCL 13-43-6.9

Adopted: FY2012

Last Review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GCPDA
School Board Policy Reference Manual	

PROFESSIONAL STAFF MEMBER ADMINISTRATIVE LEAVE WITH PAY

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.

The Board or the Superintendent may suspend a teacher with pay pending final action to terminate the contract if, in its judgment, the character of the charges warrants such action.

Legal Reference: SDCL 13-10-2; SDCL 13-8-39;

Cross Reference: GCPD – Suspension without Pay and Dismissal of Professional Staff Members

Adopted: FY2020

Last Review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GCQAB
School Board Policy Reference Manual	

TUTORING FOR PAY

To assure all students reasonable instructional assistance without charge from their own teachers, and to avoid placing a teacher in a position where he/she 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.

Legal References:

Cross References: GBCA - Staff Conflict of Interest

Adopted: FY2012

Last Review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GCQB
School Board Policy Reference Manual	

PROFESSIONAL RESEARCH AND PUBLISHING

The Board recognizes the value of educational research conducted by staff members. However, all research studies carried out within the school system, using district or school data or resources of any kind, or staff or students as subjects must be approved in advance by the Superintendent or a designee. Only those studies which have a value to the school district will be approved.

The Superintendent or a designee will keep a file on topics needing study that will be shared with staff members or graduate students at their request.

When human subjects are involved in research, there will be adequate protection of their confidentiality rights and welfare. Adults and parents of children, who are the subjects of research, will be provided:

- an explanation of procedure and their purposes;
- a description of any possible risks and any benefits to be reasonably expected;
- an offer to respond to inquiries on procedures;
- instruction on the right to refuse to participate or to discontinue participation at any time without prejudice.

Textbooks or other learning materials, resulting from work assignment or developed during the paid work time of a school employee, or while using school equipment, facilities, or materials, are property of the school district.

Legal References:

Adopted: FY2012

Last Review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GDA
School Board Policy Reference Manual	

SUPPORT STAFF POSITIONS

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.

Although positions may remain temporarily unfilled, or the number of persons holding the same type of position reduced in event of de-staffing requirements, only the Board may abolish a position it has created.

Legal References:

Adopted: FY2012

Last Review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GDB
School Board Policy Reference Manual	

NON-CERTIFIED STAFF CONTRACTS AND COMPENSATION

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 either 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 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.

In establishing salaries for support staff personnel, the Board will take into account the responsibilities of the position, the qualifications needed, past experience of the individual, and years of service in the district. Compensation and benefits will be designed to be competitive with those for comparable positions elsewhere in the area.

Annual increments will be dependent upon the employee's satisfactory performance in the position.

Notes: Non-certified staff compensation will be identified in any collective bargaining agreement applicable to non-certified staff.

Legal References: SDCL 13-10-2; SDCL 13-8-39

Adopted: FY2012

Last Review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GDB-E
School Board Policy Reference Manual	

NON-CERTIFIED STAFF CONTRACTS AND COMPENSATION EMPLOYMENT AGREEMENT

CLASSIFIED EMPLOYEE'S CONTRACT
 ARLINGTON SCHOOL DISTRICT NO. 38-1
 Arlington, South Dakota 57212
 Date

NAME

YOU ARE HEREBY NOTIFIED that you have been appointed as POSITION in the Arlington School District #38-1, Arlington South Dakota for the SCHOOL YEAR school year for approximately LENGTH OF CONTRACT months beginning on or about DATE as adopted by the school board of the Arlington School District #38-1.

The party of the first part (classified employee) agrees to perform the duties assigned by the party of the second part (School District) in accordance with the rules governing classified personnel adopted by the part of the second part.

If a change of assignment is deemed necessary by the school board, then the new assignment will be as nearly similar to the contracted assignment as possible.

Your appointment is subject to the laws of the State of South Dakota, and to the rules and regulations of the School Board of the Arlington School District #38-1, subject to the right of said School Board and subject to your right to request a release from your contract upon giving two weeks notice thereof in writing.

It is further agreed that, in the event you are unable to complete the term of employment prescribed herein by reason of physical or mental incapacity or sickness beyond the period of sick leave available to you as provided by the rules and regulations of the School Board, the School Board may, upon termination of such sick leave period, terminate this contract without penalty to yourself, if it appears likely that you cannot fulfill the contract, upon payment of the salary provided herein and pro-rated on the basis of the number of days under contract.

The Arlington School District may, without liability, withdraw its offer of employment or terminate the temporary employment without notice if the criminal background investigation reveals a disqualifying record.

In consideration of the services performed by the said classified employee, the School District hereby agrees to pay for such services herein set forth on a monthly basis as provided in School District policy and a sum of \$RATE per hour.

To be accepted this contract must be in the hands of the school Business Manager on or before DATE.

 Printed Name of Employee

 Date of Return

 Mailing Address

 Printed Name of Business Manager

 City, State, Zip

 Signature of Business Manager

 Social Security Number

 Printed Name of Board President

 Signature of Employee

 Signature of Board President

ARLINGTON SCHOOL DISTRICT NO. 38-1

EMPLOYER'S TELEPHONE NUMBER: 605/983-5597

EMPLOYEE'S NAME:

EMPLOYEE'S WORKING TITLE:

EMPLOYEE'S SOCIAL SECURITY NUMBER:

“Pursuant to SDCL 61-6-1.6, you are hereby notified that unemployment benefits shall not be paid for any week which contains an established and customary vacation period, a day of legal discontinuance, or a holiday, if you perform insured work in the period immediately preceding such periods or days and there is reasonable assurance that you will perform insured work in the period immediately following such periods or days.”

Section 61-6-1.3 of the South Dakota Unemployment Insurance Law provides that nonprofessional school employees shall be denied unemployment insurance benefits if the individual was employed at the end of the present school term and there is reasonable assurance the individual will again be employed during the next school term. If a nonprofessional school employee is denied benefits between school terms and is not offered the opportunity to perform services at the time the next school term begins, the individual could be entitled to retroactive payments provided timely weekly claims are filed and all other eligibility requirements are met. To assist the South Dakota Unemployment Insurance Division in determining eligibility for the above-named individual, please provide answers to the following questions:

1. Have you made a definite commitment to rehire the above-named individual during the next school term?

X Yes _____ No

2. Is re-employment contingent upon the receipt of funding that has not been received or authorized as of the date on this form?

_____ Yes X No

3. Is the employee required to reapply for this position?

_____ Yes X No

NOTICE TO EMPLOYEE: If you wish to file a claim for unemployment insurance benefits, this form must be presented at the Job Service Office at the time you file your claim.

COPY – EMPLOYEE
COPY – FILED IN BUSINESS OFFICE

SIGNATURE _____
Business Manager

DATE _____

Legal References:

Adopted: FY2020

Last Review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GDBB
School Board Policy Reference Manual	

SUPPORT STAFF SUPPLEMENTARY PAY PLANS

Support staff employees will be paid over-time wages for work performed in excess of 40 hours in a workweek.

In counting hours for the purpose of allowing overtime work and pay, supervisors will not consider sick leave, vacation time, and holidays as time worked.

The necessity for overtime will be determined in advance by the employee's supervisor and approved by the Superintendent. Overtime also may be authorized to cover an emergency situation.

SPECIAL COMPENSATION

When an employee's assignment requires extra responsibility, the Board, upon recommendation of the Superintendent, may award extra compensation to a support staff employee.

Legal References:

Adopted: FY2012

Last Review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GDBC
School Board Policy Reference Manual	

SUPPORT STAFF FRINGE BENEFITS

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.

Legal References: SDCL 13-10-3; SDCL 13-10-4; SDCL 13-10-6; SDCL 13-10-8; SDCL 13-10-9; SDCL 3-11; SDCL 62-1-2; SDCL 62-3-3

Cross References: GBE – Staff Health and Safety; GDBD – Support Staff Leaves and Absences; GDPC – Retirement of Support Staff Members

Adopted: FY2012

Last Review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GDBD
School Board Policy Reference Manual	

SUPPORT STAFF LEAVES AND ABSENCES

Leaves and absences granted to the support staff will be for the purposes of helping them maintain their physical health, take care of family and other personal emergencies, and discharge important and necessary obligations.

All requests for long-term leaves of absences will be submitted by the Superintendent, along with his/her recommendations, to the Board for its action following the negotiated agreement.

Legal References: SDCL 3-18

Adopted: FY2012

Last Review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GDC
School Board Policy Reference Manual	

SUPPORT STAFF RECRUITING, POSTING OF VACANCIES & HIRING

The Board will establish and budget for support staff positions in the school district on the basis of need.

The recruitment and selection of candidates for these positions will be the responsibility of the Superintendent who will confer with the principals and other supervisors before making a selection. All candidates will be considered on the basis of their merits and qualifications, and on the needs of the school district. A present employee may apply for any vacancy for which he is qualified. The Superintendent will seek to recommend the best-qualified person for the job.

Conditions of employment for support staff members as well as wages, hours, and other items of this nature will be fixed by the Board based on the negotiated agreement.

Legal References: SDCL 13-10-2; SDCL 3-3

Adopted: FY2012

Last Review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GDI
School Board Policy Reference Manual	

SUPPORT STAFF ASSIGNMENTS AND TRANSFERS

The Superintendent will make assignments and transfers of support staff members for the efficient operation of the schools. As necessary, he will consult with the building principals and department supervisors on these matters.

Transfers may be initiated by the Superintendent or other administrative officer if it is for the welfare of the employee or the schools. An administrative transfer or reassignment will be made only after a conference between the employee and the Superintendent or respective supervisor, at which time the employee will be notified of the reason for the transfer.

Any employee desiring a transfer in assignment may make a request to his supervisor or the Superintendent. The following criteria in order of priority will form the basis for granting the transfer:

1. The qualifications of the employee.
2. The length of continuous service which the employee has with the district.
3. The contribution the employee would make in the new assignment.
4. The opportunity for growth in the position.

Article XVI

Vacancy/transfer policy: Taken from negotiated agreement (amended July 1993)
The district shall have all job vacancies listed in the staff daily announcements.

Legal References:

Adopted: FY2012

Last Review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GDJ
School Board Policy Reference Manual	

SUPPORT STAFF TIME SCHEDULES

The Board will set the total number of hours per week, and weeks per year, of work for classified personnel. The normal work week for classified personnel will be Monday through Friday, with the exception of legal holidays; other exceptions and schedules may be designated by the building principal and approved by the Superintendent.

Specific time schedules for support staff members will be set by the appropriate administrators in line with pertinent school opening and closing times, student schedules, and so on. Administrators will inform the Superintendent of the assigned schedules so that there may be continuity as needed throughout the school district.

Legal References:

Adopted: FY2012

Last Review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GDL
School Board Policy Reference Manual	

SUPPORT STAFF DEVELOPMENT OPPORTUNITIES

Further training in job skills is encouraged and, at the discretion of the Board, permission may be granted for employees to attend workshops or conventions. When approval is granted, expenses incurred by the employee will be reimbursed in accordance with Board policy.

Legal References:

Adopted: FY2012

Last Review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GDN
School Board Policy Reference Manual	

SUPPORT STAFF EVALUATION

The Board delegates to the Superintendent or his or her designee the responsibility to develop evaluation procedures for all support personnel. Such procedures are subject to Board approval. At the beginning of each contract period, each support staff employee shall receive a copy of the evaluation procedures and criteria.

Support personnel will receive written evaluations at least annually by their supervisor. Additional evaluations may be made as often as once a month for employees needing assistance and improvement.

Probationary employees will be evaluated at least twice during the probationary period, and at least annually thereafter.

To the extent applicable to the position, the evaluation criteria will include, but is not limited to, the following components:

1. Working knowledge of areas of responsibility.
2. Professional growth.
3. Judgment, logical thinking, creativity, and imagination.
4. Fulfillment of assigned responsibility without neglecting some areas.
5. Adheres to policies of the Board.
6. Fulfills, to the extent applicable with the position, responsibilities related to scheduling, contracting, curriculum/program/project development and implementation.
7. Staff relations.
8. Student relations.
9. Community relations.
10. Communication skills.
11. Ability to adjust to unplanned situations.
12. Use of available financial resources, building, grounds, and other materials in the area of responsibility.

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.

Legal References: SDCL 13-42-70

Cross References: CGB – Business Manager Evaluation; CI –Administrative Staff Evaluation; CBG – Superintendent Evaluation; GCN – Professional Teaching Staff Evaluation

Adopted: FY2020

Last Review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GDO
School Board Policy Reference Manual	

SUPPORT STAFF PROMOTIONS

When support staff vacancies are to be filled, preference will be given to qualified applicants from within the school district, provided their qualifications (proven and potential ability, training, experience, and personal characteristics) are equal to those of other applicants. However, the best qualified person from among all who apply within and without the school district will be selected.

The performance of an employee promoted to a higher position will be reviewed during the probationary period in the new job. The employee will discuss the reviews with their supervisor or principal and will receive a copy of each. At the completion of the appraisal period, the employee will be notified of continued employment in his new position or reinstatement in his/her former one.

Employees who have unsuccessfully applied for a promotion will be encouraged to contact their supervisor to discuss position criteria and suggested developmental activities, which would assist in future consideration.

Legal References:

Cross References: GDC -Support Staff Recruiting, Posting of Vacancies & Hiring

Adopted: FY2012

Last Review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GDPA
School Board Policy Reference Manual	

REDUCTION IN SUPPORT STAFF WORK FORCE

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.

ARTICLE XXI

CONTINUATION OF EMPLOYMENT: (Adopted August 1992)

Any employee who does not receive a notice of dismissal prior to June 1 of any year shall be continued in employment for the following employment year and school year.

ARTICLE VIII

REDUCTION IN FORCE: (Amended May 2004)

Section A: NOTIFICATION. In the event the Board determines that a reduction in the number of employees or the number of employee hours is necessary, it shall notify the Association in writing.

Section B: RECALL. Employees laid off pursuant to this Article shall be recalled to vacancies for which they are qualified in inverse order of layoff. An employee shall be eligible for recall for a period up to one (1) year or until the employee rejects an offer of district employment at least equal to the employee's former position, wages, and benefits. The one-year time frame begins at the end of their last contracted day. While on recall an employee may accept other employment, including substitute work for the district, without jeopardizing the employee's recall status. An employee recalled to employment under this provision shall be placed on the proper step of the wage schedule and receive insurance benefits and vacation, leave, and seniority credit as of the date of layoff. The employee will be paid \$45.00 per day for unused sick leave in the event of a reduction in force. If the employee is recalled to employment, the sick leave days benefit will start over as with any new employee.

Legal References:

Adopted: FY2012

Last Review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GDPB
School Board Policy Reference Manual	

RESIGNATION OF SUPPORT STAFF MEMBERS

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.

Legal References:

Referenced to negotiated agreement.

Adopted: FY2012

Last Review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GDPC
School Board Policy Reference Manual	

RETIREMENT OF SUPPORT STAFF MEMBERS

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.

Legal References: USC Title 29 Chapter 14; SDCL 13-10-3; SDCL 13-10-4; SDCL 13-10-6; SDCL 13-10-8; SDCL 3-12

Adopted: FY2012

Last Review: FY2020

Next Review Scheduled For: FY2025

Arlington School District 38-1	NEPN Code: GDPD
School Board Policy Reference Manual	

SUSPENSION AND DISMISSAL OF SUPPORT STAFF MEMBERS

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.

ARTICLE XIV

DISCIPLINE AND DISMISSAL: (Amended May 2006)

Employee conduct and performance shall be the basis for any disciplinary action taken against the employee, and the conduct and performance shall be reasonably related to the disciplinary action taken. Disciplinary action may include oral reprimand, written reprimand, suspension with pay, suspension without pay, and termination of the contract prior to its expiration date.

If no mutual consent as to the termination exists and if the classified staff member initiates the termination of this contract prior to its terminal date, the school district shall withhold any money due the staff member or collect from the staff member the sum of \$100, whichever is greater, as liquidated damages if such termination occurs after the school board has approved the contract.

Legal References: SDCL 13-10-15; SDCL 13-10-2; SDCL 13-8-39

Adopted: FY2012

Last Review: FY2020

Next Review Scheduled For: FY2025