

Personnel

NEPN Code	Title of Policy	Next Scheduled Review
GA	<u>Personnel Goals</u>	FY2020
GBA	<u>Equal Opportunity Employment</u>	FY2020
GBC	<u>Staff Ethics</u>	FY2020
GBCA	<u>Staff Conflict of Interest</u>	FY2020
GBCB	<u>Staff Conduct</u>	FY2020
GBCBA	<u>Freedom of Expression</u>	FY2020
GBCBAA	<u>Search and Seizure</u>	FY2020
GBCBAAA	<u>Technology Acceptable Use Policy</u>	FY2020
GBCBB	<u>Media and Social Networking Sites</u>	FY2020
GBE	<u>Staff Health and Safety</u>	FY2020
GBEB	<u>Employee Communicable Diseases</u>	FY2020
GBEB-R	<u>Employee Communicable Disease Guidelines</u>	FY2020
GBEC	<u>Use of Alcohol and Other Drugs by Employees – Drug Free Workplace</u>	FY2020
GBG	<u>Staff Participation in Political Activities</u>	FY2020
GBGA	<u>District Involvement in Political Activity</u>	FY2020
GBI	<u>Staff Gifts and Solicitations</u>	FY2020
GBL	<u>Personnel Records</u>	FY2020
GBM	<u>Staff Complaints and Grievances</u>	FY2020
GBM-R	<u>Staff Complaints and Grievances - Procedures</u>	FY2020
GCA	<u>Staff Positions</u>	FY2020
GCAA-R	<u>Job Description: Teacher</u>	FY2020
GCAB-R	<u>Job Description: Principal</u>	FY2020
GCB	<u>Qualifications of Teachers</u>	FY2020
GCBA	<u>Certified Staff Salary Schedules</u>	FY2020
GCBB	<u>Certified Staff Supplementary Pay Plans</u>	FY2020
GCBCC	<u>Tax Sheltered Annuity Program</u>	FY2020
G CBD	<u>Certified Staff Leaves and Absences</u>	FY2020
GCBDC	<u>Jury Duty</u>	FY2020
GCBDD	<u>Military Leave</u>	FY2020
GCBDE	<u>Family and Medical Leave</u>	FY2020
GCBDE-R	<u>Family and Medical Leave Procedures - FMLA (Regulation)</u>	FY2020
GCC	<u>Staff Recruiting</u>	FY2020

GCD	<u>Staff Hiring</u>	FY2020
GCDB	<u>Background Checks</u>	FY2020
GCE	<u>Part-Time and Substitute Employment – Certified Staff</u>	FY2020
GCF	<u>Hiring Retired Employees</u>	FY2020
GCI	<u>Certified Staff Assignments and Transfers</u>	FY2020
GCJ	<u>Certified Staff Time Schedules</u>	FY2020
GCK	<u>Certified Staff Work Load</u>	FY2020
GCL	<u>Certified Staff Development Opportunities</u>	FY2020
GCPA	<u>Reduction in Certified Staff Work Force</u>	FY2020
GCPB	<u>Resignation of Certified Staff Members</u>	FY2020
GCPC	<u>Retirement of Certified Staff Members</u>	FY2020
GCPD	<u>Suspension and Dismissal of Certified Staff Members</u>	FY2020
GCQAB	<u>Tutoring for Pay</u>	FY2020
GCQB	<u>Professional Research and Publishing</u>	FY2020
GDA	<u>Classified Staff Positions</u>	FY2020
GDB	<u>Classified Staff Contracts and Compensation Plans</u>	FY2020
GDBB	<u>Classified Staff Supplementary Pay Plans</u>	FY2020
GDBC	<u>Classified Staff Fringe Benefits</u>	FY2020
GDBD	<u>Classified Staff Leaves and Absences</u>	FY2020
GDBDE-R	<u>Family and Medical Leave ACT – Classified Staff</u>	FY2020
GDC	<u>Classified Staff Recruiting, Posting of Vacancies & Hiring</u>	FY2020
GDI	<u>Classified Staff Assignments and Transfers</u>	FY2020
GDJ	<u>Classified Staff Time Schedules</u>	FY2020
GDL	<u>Classified Staff Development Opportunities</u>	FY2020
GDO	<u>Classified Staff Promotions</u>	FY2020
GDPA	<u>Reduction in Classified Staff Work Force</u>	FY2020
GDPB	<u>Resignation of Classified Staff Members</u>	FY2020
GDPC	<u>Retirement of Classified Staff Members</u>	FY2020
GDPD	<u>Suspension and Dismissal of Classified Staff Members</u>	FY2020

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: 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 FY2015

Next Review Scheduled For: FY2020

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 through
13-43-25

Adopted: FY2012

Last reviewed FY2015

Next Review Scheduled For: FY2020

Arlington School District 38-1	NEPN Code: GBC
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STAFF ETHICS

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

- The maintenance of just and courteous professional relationships with students, parents, staff members, and others.
- The maintenance of their own efficiency and knowledge of the developments in their fields of work.
- The transaction of all official business with the properly designated authorities of the school system.
- The establishment of friendly and intelligent cooperation between the community and the school district.
- Favorable representation of the school district at local events that are in recognition of the schools' contributions to the community.
- The placement of the welfare of children as the first concern of the school district, thus appointments to positions and promotion must be based solely on merit. The use of pressure on school officials for appointment or promotion is unethical.
- Restraint from using school contacts and privileges to promote partisan politics, sectarian religious views, or selfish propaganda of any kind.
- Directing any criticism of other staff members or of any department of the school district toward the improvement of the school district. Such constructive criticism is to be made directly to the particular school administrator who has the administrative responsibility for improving the situation and then to the Superintendent if necessary.

Legal References: SDCL 13-43-25

Cross References: GBCA, Staff Conflict of Interest GBCB, Staff Conduct

GBCBA, Freedom of Expression

Adopted: FY2012

Last reviewed FY2015

Next Review Scheduled For: FY2020

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

STAFF CONFLICT OF INTEREST

Employees of the Board will not engage in nor have a financial interest, 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. They will not furnish the names of students or parents to anyone selling these materials.

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 related to him or her who is within the third degree of consanguinity or is his or her spouse.

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; 6-1-17

Cross References: BBFA, Board Member Conflict of Interest

Adopted: FY2012

Last reviewed FY2015

Next Review Scheduled For: FY2020

Arlington School District 38-1

School Board Policy Reference Manual

NEPN Code: GBCB

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 teachers and others 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: SDCL 13-8-44;

SDCL 13-43-28.

Adopted: FY2012

Last reviewed FY2015

Next Review Scheduled For: FY2020

Arlington School District 38-1

NEPN Code: GBCBA

FREEDOM OF EXPRESSION

When public employees make statements pursuant to their official duties: in the classroom, at board meetings, and at other meetings related to educational issues affecting the district, the employees are not speaking as citizens for First Amendment purposes, and the Constitution does not insulate their communications from employer discipline (*Garcetti v. Ceballos*).

Legal References: *Garcetti v. Ceballos*, No. 04-473 (U.S. May 30, 2006)

Adopted: FY2012

Last review FY2015

Next Review Scheduled For: FY2020

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 "Acceptable Technology Use" policy.

Legal References: SDCL 13-5-1;

SDCL 13-8-39

Adopted: FY2012

Last review FY2015

Next Review Scheduled For: FY2020

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 FY2015

Next Review Scheduled For: FY2020

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

MEDIA AND SOCIAL NETWORKING SITES

Employees must conduct themselves so that they do not distract from or disrupt the educational process. The Superintendent will ensure that staff members are reminded and informed of the importance of maintaining proper decorum in the use of technology as well as in person. This will include but is not limited to:

1. Improper fraternization with students using Facebook and similar internet sites or social networks, or via cell phone, texting, or telephone.
 - Staff members may not list any students as “friends” on networking sites.
 - All electronic-contacts with students should be through the District’s computer and telephone system, except emergency situations.
 - All contact and messages by coaches with team members shall be sent to all team members, except for messages concerning medical or academic privacy matters, in which case the messages will be copied to the athletic director and the school principal.
 - Staff members will not give out their private cell phone or home phone numbers without prior approval of the District.
 - Inappropriate contact via e-mail or phone is prohibited.
2. Inappropriateness of posting items with sexual content.
3. Inappropriateness of posting items exhibiting or advocating use of drugs and alcohol.
4. Monitoring and penalties for improper use of district computers and technology.
5. The possibility of penalties, including dismissal from employment, for failure to exercise good judgment in on-line conduct.

When inappropriate use of computers and websites is discovered, disciplinary action will be considered and taken. Employees of the school district understand that pursuant to this policy that media and social networking sites may be monitored by the school district.

Legal References:

Adopted: FY2012

Last review FY2015

Next Review Scheduled For: FY2020

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 13-10-9;

SDCL 13-43-3.3; SDCL 62-1-2;
SDCL 62-3-3.

Adopted: FY2012

Last review FY2015

Next Review Scheduled For: FY2020

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 and the 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.

NEPN Code: GBEB

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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;

SDCL 13-43-3.3

Adopted: FY2012

Last review FY2015

Next Review Scheduled For: FY2020

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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	The employee may attend work after
NEPN Code: GBEB-R	
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*12-21 days	swelling has disappeared.
Pediculosis (Lice, Crabs)	The employee may attend work after treatment.
Pink Eye (Conjunctivitis) *5-12 days	The employee may attend work after the eye is clear, under treatment or with physician's written permission.
Plantar's 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) *13 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.

Legal References: SDCL 1-27-3;
SDCL 3-43-3.3

Adopted: FY2012

Last review FY2015

Next Review Scheduled For: FY2020

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

USE OF ALCOHOL AND OTHER DRUGS BY EMPLOYEES DRUG FREE WORKPLACE

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. 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 School 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.

All employees will attend a district alcohol and/or drug-free awareness program at which employees will be informed about the dangers of alcohol and/or other drug use/abuse, this policy of maintaining an alcohol and/or other drug-free environment, available alcohol and/or other drug counseling; rehabilitation, and employee assistance programs; and the disciplinary sanctions that may be imposed upon employees for alcohol and/or other drug use or abuse violations. The information will be disseminated to each employee via written and oral communication.

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.

When a staff member has consumed alcoholic and/or illegal drugs off school property and/or before a school activity, the staff member will not be allowed on school property or to participate in school activities. Staff members who violate this regulation will be subject to the same disciplinary sanctions, as for possession or consumption on school property.

The school board hereby commits itself to a continuing good faith effort to maintain a drugfree environment.

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

A Biennial Review of the School Districts Program will be made:

NEPN Code: GBEC

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1. To determine the programs' effectiveness and implement changes to the programs if they are needed;
2. To insure that disciplinary sanctions are consistently enforced.

Legal References: Public Law 100-690

Adopted: FY2012

Last review FY2015

Next Review Scheduled For: FY2020

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 FY2015

Next Review Scheduled For: FY2020

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 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.

Legal References: SDCL 12-27-20, 12-27-21;

SDCL 13-7-3, 13-43-15.1, 13-43-1; Hatch Act

Cross References: GBG, Staff Participation in Political Activities

KMI, Relations with Political Organization

NEPN Code: GBGA

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KG, Community Use of School Facilities

Legal References:

Adopted: FY2012

Last review FY2015

Next Review Scheduled For: FY2020

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

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 fundraising literature without the express approval of the Superintendent.

Legal References:

Cross References: JL, Student Gifts and Solicitations

KI, Public Solicitations and Advertising in the Schools

Adopted: FY2012

Last review FY2015

Next Review Scheduled For: FY2020

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 and may be reviewed only on a "need to know" basis under conditions which guarantee management's right of access to information necessary to make judgments and the protection of the employees of the district against unnecessary invasion of privacy. Some personnel information is "public record" and must be released to any person upon request.

The Superintendent shall notify an employee and a collective bargaining representative, if any, in writing when a request is made for disclosure of the employee's personnel, medical, or similar files, if the Superintendent reasonably believes disclosure would invade the employee's privacy. The records will be disclosed unless written objection is received from the employee or the employee's collective bargaining representative, within seven business days from the receipt by the employee or the collective bargaining representative.

Records of an employee's evaluation shall not be released without the written consent of the employee.

Files containing medical information regarding an employee will be kept separate from other personnel files.

TYPES OF INFORMATION

It shall be the responsibility of each certificated employee to see that there is filed with the district any record of prior teaching experience. In addition, if the teacher has rendered military service, the proof of discharge from the service must be furnished. It is the obligation of the employee to see that information, which will maintain the employee's personnel file on a complete and up-to-date basis, is sent to the Superintendent's office. 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;

6. Any current data requested concerning the health of the employee, or medical examinations which the employee may have undergone;
7. Records of assignment;
8. Evaluations of performance;
9. Letters of commendation, reprimand, or omission of duty;
10. Other materials mutually agreed upon between the principal and the teacher or supervisor and employee.

USE OF PERSONNEL RECORDS

All the contents of the personnel records file, with the exception of evaluations, comments, or recommendations provided to the district on a confidential basis by universities, colleges, or persons not connected with the district, shall be available for inspection by the employee concerned. The district reserves the right to have a member of the Superintendents office staff present at the time the employee inspects his or her personnel file for the purpose of explaining and interpreting the information therein. 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 to all materials contained in the personnel file and to any materials to be placed in the file in the future. 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 school district receives Title I funds, the No Child Left Behind Act requires the district to provide parents with notice that they may request information about the professional qualifications of classroom teachers. The notice to parents must include the following:

1. Whether the teacher has met state qualifications for the grade levels and subject areas taught;
2. Whether the teacher is teaching under emergency or other provisional status;

3. The baccalaureate degree of the teacher and any other graduate certification or degree held by the teacher, and the subject area(s) of the certification or degree;
4. Whether the child is provided services by paraprofessionals, and, if so, their qualifications.

NEPN Code: GBL

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If a parent requests the above-listed information, the district is required to provide the information in a timely manner. If the district has hired a teacher who is not highly qualified and the teacher has taught a child for four or more weeks, the district is required to provide the parents notice that their child has been taught by a teacher who is not highly qualified.

THIS POLICY REQUIRED BY THE NO CHILD LEFT BEHIND ACT

Legal References: SDCL 60-4-12;

No Child Left Behind Act of 2001 (P.L. 107-110); The
Americans with Disabilities Act

Adopted: FY2012

Last review FY2015

Next Review Scheduled For: FY2020

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; 3-18-1.1; 3-18-15 through 3-18-15.3

Adopted: FY2012

Last review FY2015

Next Review Scheduled For: FY2020

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

STAFF COMPLAINTS AND GRIEVANCES (Grievance Procedure)

GRIEVANCE POLICY: (Amended through negotiations April 2011)

1. Definition:

- 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 non-existing 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 calendar 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, business office 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 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 days, he/she shall, within three days after the decision is rendered, or within eight 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 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 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 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

Last review FY2015

Next Review Scheduled For: FY2020

STAFF POSITIONS

All 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 FY2015

Next Review Scheduled For: FY2020

Arlington School District 38-1

School Board Policy Reference Manual

NEPN Code: GCAA-R

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.

DUTIES:

1. Meets and instructs assigned classes in the location and at the times designated.
2. Plans a program of study each year 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.
7. Establishes clear objectives for all lessons, units, and projects and communicate these objectives to students.

8. 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.

NEPN Code: GCAA-R

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9. Incorporates technology into their classroom and assignments.
10. Implements, by instruction and action, the district's philosophy of education and instructional goals and objectives.
11. Assesses the accomplishment of students on a regular basis and provides progress reports as required.
12. Diagnoses the learning disabilities of students on a regular basis, seeking the assistance of district specialists as required.
13. Takes all necessary and reasonable precautions to protect students, equipment, materials, and facilities.
14. Maintains accurate, complete, and correct records as required by law, district policy, and administrative regulation.
15. 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.
16. 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.
17. Plans and supervises purposeful assignments for teacher aide(s) and or volunteer(s) and, cooperatively with department heads, evaluates their job performance.
18. Strives to maintain and improve professional competence.
19. Attends staff meetings and serves on staff committees as required.
20. 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 FY2015

Next Review Scheduled For: FY2020

JOB DESCRIPTION: PRINCIPAL

TITLE: Principal

QUALIFICATIONS:

1. Certificate required.
2. Degree(s) required.
3. Kind and amount of prior job experience required.

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

SUPERVISES: Staff members designated by the Board or the Superintendent

JOB GOAL: To use leadership, supervisory, and administrative skills so as to promote the educational development of each student.

PERFORMANCE RESPONSIBILITIES:

The principal is responsible to the CEO/superintendent for all personnel assigned to his/her building and grounds and for all activities authorized for his/her building assignment unless otherwise noted. The principal administers, supervises, and assists in planning for the total program in his/her building.

DUTIES:

1. Provides leadership in promoting the best possible education for his/her students.
2. Protects the health and safety of his/her students.
3. Handles discipline referred to him/her by the teachers.
4. Assures a high level of student behavior and decorum.
5. Provides for proper guidance and counsel for his/her students.
6. Makes student referrals to proper agencies.
7. Maintains open communication with students.
8. Directs, supervises, and evaluates all teachers, the K-12 secretary, teacher assistants and teacher aides assigned to his/her building.

9. Makes frequent classroom observations of teachers and students at work.
10. Involves teachers in planning and executing the total program of his/her school.
11. Promotes and maintains a high level of staff morale.

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12. Organizes and administers the total school program.
13. Maintains a balance among the academic, physical, moral, and social aspects of the school program.
14. Supervises the assignment, promotion, and retention of students.
15. Reports to the CEO/Superintendent on the status of maintenance of the building and grounds.
16. Plans and executes safety and fire drills for his/her staff and student body.
17. Maintains all records required by the State Department of Education, school board, and or CEO/Superintendent.
18. Makes all reports required by the State Department of Education, school board, and/or CEO/superintendent.
19. Supervises teacher-kept records and reports to parents making certain that these records and reports conform to board policy and the Freedom of Information Act.
20. Establishes and maintains good public relations on behalf of the school.
21. Makes himself/herself available to parents.
22. Manages the functions of his/her office or offices efficiently.
23. Confers with the CEO/superintendent on all matters not covered by policy.
24. Cooperates with the other principal and CEO/superintendent in providing an excellent program system wide.
25. Plan for and carry out a program of staff in service education jointly with the district.
26. Schedules, organizes, and conducts, regular staff and in-service meetings.
27. Knows and follows board and administrative policies.

28. Reports to the superintendent in the selection, assignment, retention, and dismissal of teachers and other staff members.
29. Assists in preparations of budget for his/her building.
30. Monitors expenditures in his/her building to insure that budget is being followed.
31. Reports to the superintendent and then to the school board their recommendation on hiring or dismissing of staff members under his/her supervision.

NEPN Code: GCAB-R

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32. Provides teacher with a class schedule and estimated class size by July 1.
33. The HS/JH principal, elementary principal, and CEO/superintendent, lead teachers and business manager will be assigned supervisory duties for extra-curricular activities on a rotation basis by the CEO/Superintendent. These duties include responsibility for cash boxes, paying officials, and crowd control.

Legal References:

Adopted: FY2012

Last review FY2015

Next Review Scheduled For: FY2020

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

QUALIFICATIONS OF TEACHERS

The School Board shall employ teachers on a professional basis without regard to age, race, color, sex, or national origin.

Every teacher employed in this school system must possess a valid license or certificate and shall execute a written contract with the board of education. Teacher contracts shall be considered for renewal on or before April 15 each year.

The Principal and the Superintendent shall consider applications. Selected applicants shall be interviewed by the administration and a recommendation shall be made to the board of education who shall make the final employment determination.

Starting with the 2002-2003 school year, school districts receiving Title I funds must ensure that teachers hired after the first day of school in a program supported by such funds are "highly qualified." By the end of the 2005-2006 school year, all teachers within this school district are required to be "highly qualified." The No Child Left Behind Act defines "highly qualified" as an elementary or secondary school teacher who has obtained full state certification and has not had certification requirements waived on an emergency, temporary, or provisional basis.

Elementary teachers who are new to the profession must hold at least a bachelor's degree and have demonstrated, by passing a rigorous state test, subject knowledge and teaching skills in reading, writing, mathematics, and other areas of the basic elementary curriculum. Middle and secondary school teachers, new to the profession, will be deemed to be highly qualified if the individual teacher holds at least a bachelor's degree and has demonstrated a high level of competency in each of the academic subjects in which the individual teaches by passing a rigorous state academic subject test in each such academic subject; or has successfully completed a grade degree with coursework that is equivalent to an undergraduate major, or advanced certification or credentialing for each academic subject that the individual teaches.

Veteran teachers currently employed by the district will be identified as highly qualified if they:

1. Hold at least a bachelor's degree; and
2. Have met the applicable standard for a teacher who is new to the profession, which includes an option for a test; or

3. Demonstrate competence in all the academic subjects in which the teachers teach, based upon a high objective uniform state standard of evaluation.

Additional qualifications and terms of employment for teachers may be found in the standard teacher contract. Specific duties may be found in the teacher job description found elsewhere in this manual. Nothing in this policy manual shall be construed as limiting or expanding the terms of the employment contract.

NEPN Code: GCB

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THIS POLICY REQUIRED BY THE NO CHILD LEFT BEHIND ACT

Legal References: P.L. 107-110, No Child Left Behind Act of 2001

Cross References: GCB(), Sub-codes (All relate to compensation)

GCPD, Suspension and dismissal of Professional Staff

Adopted: FY2012

Last review FY2015

Next Review Scheduled For: FY2020

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

CERTIFIED 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 FY2015

Next Review Scheduled For: FY2020

Arlington School District 38-1	NEPN Code: GCBB
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CERTIFIED 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, Professional Staff Contracts and Compensation Plans

Adopted: FY2012

Last review FY2015

Next Review Scheduled For: FY2020

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 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 Qualified Plan Consultants INC.

PARTICIPATION ELIGIBILITY

All 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 QPC. The salary reduction agreement will specify the amount of the salary reduction for each eligible vendor selected.

SCHOOL DISTRICT RESPONSIBILITY

The Board will annually review the 403(b) third party administrator.

Legal References:

Adopted: FY2012

Last review FY2015

Next Review Scheduled For: FY2020

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

CERTIFIED 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 FY2015

Next Review Scheduled For: FY2020

Arlington School District 38-1	NEPN Code: GCBDC
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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.

Legal References: SDCL 16-13-41

Adopted: FY2012

Last review FY2015

Next Review Scheduled For: FY2020

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

MILITARY LEAVE

Pursuant to the Uniformed Services Employment and Reemployment Rights Act (USERRA), the Superintendent shall grant military leave to employees for voluntary or involuntary 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/or collective bargaining agreements. 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.

Time spent in active military service shall be counted in the same manner as regular employment for purposes of seniority or District service unless otherwise provided in a collective bargaining agreement.

The District will not discriminate in hiring, reemployment, promotion or benefits based upon membership or service in the uniformed services. The Superintendent may enact rules to implement this policy.

All requests for military leave will be submitted to the Superintendent in writing accompanied by copies of the proper documentation showing the necessity for the military leave request.

Unless otherwise impossible, all requests for military leave will be submitted at least one full month in advance of the date military service is to begin. Persons returning from military leave are asked to give notice of intent to return to the Superintendent, in writing, at least one full month in advance of the return date.

Legal References: 38 U.S.C. §§ 4301-4333 (The Uniformed Services Employment and Reemployment Act of 1994;

SDCL 3-6-19 thru 25;

SDCL 3-12-86

Adopted: FY2012

Last review FY2015

Next Review Scheduled For: FY2020

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: P.L. 103-3, Family and Medical Leave Act of 1993

Code of Federal Regulations, Title 29, Part 825

Adopted: FY2012

Last review FY2015

Next Review Scheduled For: FY2020

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

FAMILY AND MEDICAL LEAVE PROCEDURES (FMLA) (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

NEPN Code: GCBDE-R

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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: P.L. 103-3, "Family and Medical Leave Act of 1993."

Code of Federal Regulations Title 29, Part 825

Adopted: FY2012

Last review FY2015

Next Review Scheduled For: FY2020

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

Next Review Scheduled For: FY2015

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

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:

Adopted: FY2012

Last review FY2015

Next Review Scheduled For: FY2020

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

STAFF HIRING

All professional staff members of the district will be appointed 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 a personal interview, and wherever possible the candidate will be observed in his own school prior to selection.

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 bestqualified person for the job.

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

Legal References: SDCL 3-3-1; SDCL

13-10-2;

SDCL 13-13-17;

SDCL 13-42-1 through 13-42-25;

SDCL 13-43-4 through 13-43-6.6; 13-43-7.1; ARSD Chapter
24:15

Cross References: GBA, Equal Opportunity Employment

GCB, Professional Staff Contracts and Compensation Plans

GCG, Professional Staff Probation and Tenure

Adopted: FY2012

Last review FY2015

Next Review Scheduled For: FY2020

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

BACKGROUND CHECKS

The School District is committed to the selection of quality staff and to providing a safe environment for students and staff. As part of that commitment, the district will obtain background checks on school employees and may obtain background checks on school volunteers or employees of contracted vendors pursuant to this policy and in accordance with state law.

EMPLOYEE CRIMINAL BACKGROUND CHECKS

Any offer of employment is contingent upon the satisfactory outcome of a criminal background check. The district has the sole discretion to determine whether the outcome of a criminal background check is satisfactory. In making a determination, the district:

1. Shall adhere to all applicable state laws that disqualify an individual from employment by a school district; and
2. May consider the conviction of any crime of moral turpitude; and
3. May consider any criminal conviction, including convictions not disclosed by an applicant.

An individual may be granted employment on a temporary basis pending the receipt of the results of a criminal background check. In the event that a temporary employee is determined to have an unsatisfactory background check, employment will be immediately terminated without notice or hearing.

Applicants are financially responsible for the cost associated with criminal background checks.

This policy shall not apply to persons performing services for the district under the authority of the South Dakota High School Activities Association. This policy applies to all other employment agreements, whether written or oral.

INDEPENDENT CONTRACTORS AND VOLUNTEERS

Any organization that contracts with the district for service shall be required to certify to the district, in writing, that individuals employed by the service provider have been subjected to a criminal background check. At the discretion of the superintendent, this requirement may be waived if individuals employed by the service provider do not have contact with students.

The district may, at its discretion, require a criminal background check on any volunteer.

NEPN Code: GCDB

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FINANCIAL BACKGROUND CHECKS

Any individual employed as the district's business official shall, prior to employment, be subject to a financial background check. A financial background check may include a credit check, financial delinquencies, corporate interests and any other examination of the individual's financial trustworthiness.

At the discretion of the superintendent or a designee, individuals applying for financially sensitive positions may be subject a financial background check prior to employment.

ADDITIONAL BACKGROUND CHECKS

The Superintendent is charged with developing recruiting and hiring procedures that ensure all district employees have been subject to relevant background checks, including education and employment history.

CONFIDENTIALITY

Information received as the result of this policy shall remain confidential and shall not be released to any other individual or entity.

Adopted: FY2012

Last review FY2015

Next Review Scheduled For: FY2020

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

PART-TIME AND SUBSTITUTE EMPLOYMENT – CERTIFIED 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 parttime 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 FY2015

Next Review Scheduled For: FY2020

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, for 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 3-12-47(70) (SDRS Definition of terms)

SDCL 3-12-81.1 (Reemployment of retired member)

SDCL 3-12-82 (Retirement allowances)

SDCL 3-12-88 (Benefits increased by improvement factor)

SDCL 3-12-90 (Commencement of benefits)

SDCL 3-12-111.1 (Suspension of retirement allowance)

SDCL 3-12-199 (Invalid Retirement)

Adopted: FY2012

Last review FY2015

Next Review Scheduled For: FY2020

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

CERTIFIED 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 June 2008)

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.

Legal References:

Adopted: FY2012

Next Review Scheduled For: FY2015

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

CERTIFIED 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.

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

Next Review Scheduled For: FY2015

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

CERTIFIED 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

Next Review Scheduled For: FY2015

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

CERTIFIED 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 inservice 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.

NEPN Code: GCL

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Legal References: SDCL 13-26-4; 13-26-4.1; SDCL 13-43-7.1

Adopted: FY2012

Next Review Scheduled For: FY2015

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

REDUCTION IN CERTIFIED STAFF WORK FORCE

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

Next Review Scheduled For: FY2015

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

RESIGNATION OF CERTIFIED 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

Next Review Scheduled For: FY2015

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

RETIREMENT OF CERTIFIED 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: (Amended June 2008) Master Contract

1. Any teacher who has attained the minimum age of 55 but has not reached age of 60 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 as follows: in two (2) to six (6) equal annual installments, the first installment on July 20th, immediately following retirement, and an installment each subsequent July 20th, until paid in full. No interest shall be payable. The first installment may, at the teacher's option, be delayed until July 20th one year after retirement. 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. In the event where more than two teachers choose or have retired and are still receiving early retirement as per this section the board may elect to spread the remaining payments out to the maximum of six(6) equal payments. The board will send a letter to all involved by July 1, each year to notify the retired or retiring staff of this change in disbursement.

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 B and C 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.

NEPN Code: GCPC

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Legal References: SDCL 3-12 et seq.;
SDCL 3-12A;
SDCL 13-10-4; 13-10-6; 13-10-8;
Age Discrimination in Employment Law,
P.L. 95-592, as amended in Oct., 1986.

Adopted: FY2012

Next Review Scheduled For: FY2015

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

SUSPENSION AND DISMISSAL OF CERTIFIED STAFF MEMBERS

Employment 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.

A contract of a teacher may be terminated at any time for just cause including:

1. plain violation of contract;
2. gross immorality;
3. incompetency or neglect of duty;
4. poor performance;
5. unprofessional conduct;
6. insubordination;
7. violation of any policy or regulation of the school district; 8. neglect.

The Superintendent will give notice to the teacher of the intent to recommend termination. The notice must specify the grounds for the recommendation, and inform the teacher of 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.

SUSPENSION

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 13-43-6.1 through 13-43-6.9

Adopted: FY2012

Next Review Scheduled For: FY2015

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

Next Review Scheduled For: FY2015

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

Next Review Scheduled For: FY2015

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

CLASSIFIED 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

Next Review Scheduled For: FY2015

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

CLASSIFIED STAFF CONTRACTS AND COMPENSATION PLANS

The Board will establish salary schedules for classifications of the support staff, including secretarial staff, aides, custodians, maintenance, bus drivers and cafeteria workers.

In establishing salaries and salary schedules 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.

The hourly rate of pay for part-time and substitute personnel will be set by the Board.

Legal References:

Adopted: FY2012

Next Review Scheduled For: FY2015

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

CLASSIFIED 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 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

Next Review Scheduled For: FY2015

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

CLASSIFIED 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 3-11-1 et seq.;

SDCL 3-12A et seq.;

SDCL 13-10-3; 13-10-4; 13-10-6; 13-10-7; 13-10-8; 13-10-9;

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

Next Review Scheduled For: FY2015

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

CLASSIFIED 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

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

FAMILY AND MEDICAL LEAVE ACT (Classified Staff)

An eligible employee is entitled to up to a combined total (paid and unpaid) of twelve (12) weeks of FMLA Leave per year for:

1. The birth and first year care of a child;
2. The adoption or foster placement of a child;
3. The illness of an employee's spouse, parent, or child; or
4. The employee's own illness.

The employee must first use and count all available accrued paid leave, including vacation, sick leave, and personal leave, before using the unpaid leave. During the period of FMLA Leave, the employee is entitled to the continuation of all fringe benefits. Employees will still earn sick days and vacation days while on FMLA Leave. The District will continue to pay its portion of the health insurance, and it will be the employee's responsibility to continue to pay for his or her portion. Upon return to work, the employee will be entitled to his or her same position or an equivalent position with equivalent pay.

In the case of birth, adoption or foster placement, the FMLA Leave entitlement for childcare ends after: (1) the child reaches the age of one, or (2) 12 months after adoption or placement. FMLA Leave to care for a child would include leave for a stepparent or a person in loco parentis.

In cases where both spouses are employed by the District, the combined amounts (both employees) of FMLA Leave for birth, adoption or foster placement, or family illness is limited to twelve (12) weeks. Personal illness is not limited to this combined total.

The District, at the request of the employee, may agree that the employee may take leave intermittently or on a reduced hours basis in connection with the birth, adoption or foster placement of a child. This is subject to the recommendations of the administrator or supervisor and is at the request of the employee.

When FMLA Leave is in connection with birth, adoption or foster placement, and is foreseeable, the employee must provide at least thirty (30) days notice of the date when FMLA Leave is to begin. When FMLA Leave is in respect to family or employee illness, which is foreseeable, the employee must make a reasonable effort to schedule treatment, including intermittent and reduced hour leave, so as to not unduly disrupt the operations of the District.

In case of employee illness, in addition to current sick leave policy requirements, the District will require the employee to provide certification by his or her health care provider that the employee is able to return to work and is able to meet the essential functions of the job.

NEPN Code: GDBDE-R

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If an employee fails to return to work after the leave period has expired, unless the absence is due to continued family or personal illness or other circumstances beyond the employee's control, the District will require the employee to reimburse the District's share of the health insurance premiums paid while the employee was on FMLA Leave.

The Superintendent or designee will work individually with an employee who wants to apply for FMLA Leave. FMLA Leave request forms are available from the Central Office.

Legal References: P.L. 103-3, "Family and Medical Leave Act of 1993."

Adopted: FY2012

Next Review Scheduled For: FY2015

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

CLASSIFIED 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 3-3-1 through 3-3-6;

SDCL 13-10-2

Adopted: FY2012

Next Review Scheduled For: FY2016

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

CLASSIFIED STAFF ASSIGNMENTS AND TRANSFERS

Classified 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 July 1993)

The district shall have all job vacancies listed in the staff daily announcements.

Legal References:

Adopted: FY2012

Next Review Scheduled For: FY2015

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:

Cross References: GDBE, Support Staff Vacations and Holidays

Adopted: FY2012

Next Review Scheduled For: FY2015

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 superintendent, 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:

Cross References: DLC, Expense Reimbursements

Adopted: FY2012

Next Review Scheduled For: FY2015

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

CLASSIFIED 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 of one year in the new job. The employee will discuss the review(s) 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:

Adopted: FY2012

Next Review Scheduled For: FY2015

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

REDUCTION IN CLASSIFIED 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 XXII

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 XXIII

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 oneyear 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

Next Review Scheduled For: FY2015

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

RESIGNATION OF CLASSIFIED 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.

ARTICLE XXIV

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:

Referenced to negotiated agreement.

Adopted: FY2012

Next Review Scheduled For: FY2015

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

RETIREMENT OF CLASSIFIED 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.

SICK LEAVE: (Amended May 2006)

The school district will pay staff members for unused sick leave when leaving the district at a rate of \$45.00 per day. Payment will not be made to a staff member who leaves the district because of disciplinary action. Any staff member leaving district employment because of a Reduction in Force will be paid \$45.00 per day for unused sick leave. Therefore, the employee has been paid for unused sick leave. In the event the employee is called back to work, the employee will start with sick leave benefits as any new employee.

Legal References: SDCL 3-12 et seq.;

SDCL 3-12A;

SDCL 13-10-4; 13-10-6, 13-10-8;

Age Discrimination in Employment Law,

P.L. 95-256, as amended in Oct. 17, 1986

Adopted: FY2012

Next Review Scheduled For: FY2015

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

SUSPENSION AND DISMISSAL OF CLASSIFIED 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 XXIV

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.

Legal References: SDCL 13-8-39 (Management of schools by board)

SDCL 13-10-2 (Power of boards to employ personnel)

Adopted: FY2012

Next Review Scheduled For: FY2015