


SECTION A – FOUNDATIONS AND BASIC COMMITMENTS POLICY REVIEW 2017

CHANGE LOG

1. COMBINE AA AND AAA. CHANGE CODE TO A1
2. CHANGE CODE FROM AAB TO A2
3. CHANGE CODE FROM AAC TO A3
4. ADD NEW AA
5. DELETE AB, WORDING IS IN NEW AC
6. DELETE ABA. REPLACE WITH NEW ACAA, ACAA-E(1), ACAA-E(2), AND ACAA-E(3)
7. DELETE ABB. REPEAT OF JFCD.
8. CHANGE CODE FROM ABC TO ACB
9. CHANGE CODE FROM AC TO AE
10. DELETE ACA. PARTIAL REPEAT OF GBEB
11. DELETE ACB. PARTIAL REPEAT OF GBEB
12. DELETE ACC. PARTIAL REPEAT OF GBEB
13. DELETE ACD. REPEAT OF KDG
14. ADD NEW AD
15. CHANGE CODE FROM ADA TO ABAC
16. CHANGE CODE FROM ADB TO ABAB AND USE NEW ABAB WORDING
17. CHANGE CODE FROM ADC TO ABA
18. DELETE ADD. PARTIAL REPEAT OF NEW ABAB
19. CHANGE CODE FROM ADE TO ABAA
20. CHANGE CODE FROM AEA TO AGA
21. DELETE AEB. REPLACE WITH NEW AC, AC-E(1), AC-E(2), AND AC-E(3)
22. DELETE AEC. WORDING IS IN NEW AC
23. ADD NEW AC, AC-E(1), AC-E(2), AND AC-E(3)
24. AH, AH-E(1), and AH-E(2) ARE ALREADY BEING REVIEWED.

AS YOU PROCEED THROUGH THIS DOCUMENT, THE CURRENT POLICY IS ON THE LEFT AND THE NEW POLICY IS ON THE RIGHT.

	Huron School District #2-2	Code: AA-AAA
	Policies and Regulations	School Philosophy/Mission Statement/Vision Statement

School District Philosophy

The Huron School District Philosophy is based on the following four components:

AA

Mission Statement

Lifelong learners will be inspired and developed through effective teaching in a safe and caring environment.

AAA

Vision Statement

Educational excellence for every child -- setting the standard others aim for.

MISSION AND VISION STATEMENTS

Mission Statement

Lifelong learners will be inspired and developed through effective teaching in a safe and caring environment.

Vision Statement

Educational excellence for every child -- setting the standard others aim for.

Notes - Recommend Revising Current Policy and Changing Code to A1.



School District Philosophy/Belief Statements

WE BELIEVE:

- 1) --all children are capable of learning, achieving, and succeeding.
- 2) --high expectations produce high achievers.
- 3) --our schools provide the opportunity and incentive to challenge each student to develop to the best of his/her ability.
- 4) --our greatest resource is people.
- 5) --in the worth and dignity of the individual.
- 6) --the primary responsibility of education begins in the home and is shared by the student, family, school, and community.
- 7) --our school system is accountable to our community.

- 8) --that the acquisition of academic skills is the primary objective of our schools.
- 9) --our schools emphasize the development of technical and occupational skills.
- 10) --change is essential for growth and improvement.
- 11) --in the ideals on which the Constitution is based and that educated and involved citizens are essential for a democratic society.
- 12) --a quality school system enhances the quality of the community.
- 13) --in the interrelationship of personal virtues, civic values, and ethical conduct.
- 14) --schools assist in the development of the whole child.

SCHOOL DISTRICT PHILOSOPHY/BELIEF STATEMENTS

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- 2) --high expectations produce high achievers.
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- 12) --a quality school system enhances the quality of the community.
- 13) --in the interrelationship of personal virtues, civic values, and ethical conduct.
- 14) --schools assist in the development of the whole child.

Notes - Recommend Changing Code to A2.



School District Goals and Objectives/Student Exit Outcomes

As a result of emphasis in our instructional program, students will demonstrate the knowledge and skills to:

- (1) --**link key concepts** in the areas of language arts, mathematics, science, and social studies.
- (2) --**use various technologies** to develop products of high standards which are intellectual, artistic, practical, physical, and original.
- (3) --**problem-solve, including:**
 - accessing, organizing, summarizing, interpreting, and producing information.
 - making logical decisions.
 - distinguishing fact from opinion.
 - generating effective solutions to problems.
- (4) --**communicate, including:**
 - reading, writing, listening, and speaking effectively for both general information and recreation.
 - reading and interpreting technical information.
 - understanding and developing non-verbal skills.
 - recognizing that the arts are a form of human communication.
- (5) --**practice American citizenship, including:**
 - understanding how government operates at the community, state, and national level.
 - understanding a wide variety of community and world cultures in which different governments operate.
 - promoting responsible care of the environment.
 - developing an understanding of the benefits of the economic system of free enterprise.
- (6) --**be productive in the world of work, including:**
 - following directions, practicing timeliness, and demonstrating initiative.
 - developing responsibilities associated with the variety of roles required in the work place (i.e., team member, leader, facilitator, and independent worker).
 - identifying appropriate strategies to achieve success in the workplace.
- (7) --**maintain physical, social, and emotional well-being, including:**
 - understanding the importance of health and safety skills as related to self and others.
 - understanding the importance of developing basic skills through physical activity.
 - acquiring necessary skills for recreational/leisure activities.
 - recognizing the value of participation in both cooperative and competitive activities.

SCHOOL DISTRICT GOALS AND OBJECTIVES/STUDENT EXIT OUTCOMES

As a result of emphasis in our instructional program, students will demonstrate the knowledge and skills to:

(1) --link **key concepts** in the areas of language arts, mathematics, science, and social studies.

(2) --use **various technologies** to develop products of high standards which are intellectual, artistic, practical, physical, and original.

(3) --**problem-solve, including:**

--accessing, organizing, summarizing, interpreting, and producing information.

--making logical decisions.

--distinguishing fact from opinion.

--generating effective solutions to problems.

(4) --**communicate, including:**

--reading, writing, listening, and speaking effectively for both general information and recreation.

--reading and interpreting technical information.

--understanding and developing non-verbal skills.

--recognizing that the arts are a form of human communication.

(5) --**practice American citizenship, including:**

--understanding how government operates at the community, state, and national level.

--understanding a wide variety of community and world cultures in which different governments operate.

--promoting responsible care of the environment.

--developing an understanding of the benefits of the economic system of free enterprise.

(6) --**be productive in the world of work, including:**

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--identifying appropriate strategies to achieve success in the

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workplace.

(7) --maintain physical, social, and emotional well-being, including:

--understanding the importance of health and safety skills as related to self and others.

--understanding the importance of developing basic skills through physical activity.

--acquiring necessary skills for recreational/leisure activities.

--recognizing the value of participation in both cooperative and competitive activities.

Notes - Recommend Changing Code to A3.

Notes - We don't currently have this policy

SCHOOL DISTRICT LEGAL STATUS

The United States Constitution leaves to the individual states responsibility for public education.

In South Dakota, the legislature is charged by the Constitution "to establish and maintain a general and uniform system of public schools" which is open to all children and free from sectarian control.

The State Board of Education is responsible for the adoption of all policies for the government of the Division of Elementary and Secondary Education, and for the adoption and implementation of regulations for supervising the elementary and secondary schools.

School districts exist for the purpose of operating a school or schools to provide the people of each local community adequate opportunity to avail themselves of a free public elementary and secondary education program.

This school district constitutes a school corporation under the name of Huron School District, No. 2-2 of Beadle County, South Dakota.

Notes - Recommend Adding ASBSD Sample Policy



Non-Discrimination

The Huron School District is committed to a policy of non-discrimination and equal opportunity in all of its educational policies, programs, activities, employment, and contracting. Respect for the dignity and worth of each individual shall underlie all of the operations of the school district.

Discrimination--including harassment of any kind against any individual, on the basis of gender, race, color, religion, sexual orientation, marital status, disability or handicapping condition, age, and national origin or ancestry--will not be tolerated. Appropriate action will be taken to address any such discrimination and to prevent its future recurrence.

If anyone feels that he/she is being discriminated against regarding those factors listed above, he/she may contact the following:

Title IX Coordinator
Huron Public Schools
150-5th Street SW
PO Box 949
Huron, SD 57350
Phone: 353-7804

Individuals may also contact the following:

Regional Director
Department of Education, Office of Civil Rights
10020 North Executive Hills Blvd., 8th Floor
Kansas City, MO 64153-1367
(Phone: 816-880-4202; TDD 816-891-0582)

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Sexual Harassment

I.

Sexual harassment is unacceptable and shall not be tolerated. No member of the school district community may sexually harass another. Any employee or student will be subject to disciplinary action for violation of this policy.

Furthermore, the Huron School District will not discriminate on the basis of sex or sexual orientation in its educational program or activities. If anyone feels that she/he is being discriminated against on the basis of sex, she/he should feel free to contact the Title IX Coordinator for the Huron Public Schools.

II.

Sexual harassment is herein defined as unwelcomed sexual advances, requests for sexual favors and other verbal or physical misconduct of a sexual nature including the following:

- a. submission to such conduct is made either explicitly or implicitly a term of condition of an individual's employment or education; and/or,
- b. submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting such individual; and/or,
- c. such conduct has the purpose or effect of unreasonably interfering with an individual's academic or work performance, or creating an intimidating, hostile or offensive employment or educational environment.

III.

Sexual harassment is illegal under both South Dakota (Executive Order 81-08) and Federal (Title VII, Title IX) law. In some cases, it may also be liable to prosecution under criminal statutory law. The Board of Education of the Huron School District has established a non-retaliatory grievance procedure for handling sexual harassment complaints. All reported incidents of sexual harassment will be promptly and thoroughly investigated, and all substantiated acts of sexual harassment will result in immediate and appropriate corrective action, including sanctions.

The district prohibits retaliation against any employee or student because he or she has made a report of alleged sexual harassment or against any employee or student who has testified, assisted, or participated in the investigation of a report. Retaliation is itself a violation of federal and state regulation prohibiting discrimination and will lead to disciplinary action against the offender.

Confidentiality consistent with due process will be maintained.

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IV.

The staff, administrators, and students of the Huron School District are responsible for maintaining a working and learning environment free from sexual harassment. It is the obligation of each employee and student to become fully informed of the provisions of this policy and to assure individual compliance. To assure dissemination of this policy, copies will be distributed to all administrative units serving both employees and students. Copies will be posted at appropriate locations throughout the district and the policy will be announced in appropriate district publications.

V.

Any employee who feels that he or she has been subject to sexual harassment in the work place should report the incident immediately to his or her immediate supervisor. If the immediate supervisor is involved in the activity, the violation should be reported to that supervisor's immediate supervisor. Students may report such incidents to their teacher, principal, superintendent, or Board of Education, depending on involvement of the listed individuals. Resolution of complaints will be handled through the district grievance policy.

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SEXUAL HARASSMENT

SECTION 1 - Policy Statement

The District is committed to a school environment which is free from sexual harassment and conducive to all students' educational opportunities. Sexual harassment can inhibit a student's educational opportunities and an employee's work. Sexual harassment of students attending school in the District or students from other schools who are at a District activity, and sexual harassment of school employees, school volunteers, parents, guests, visitors and vendors of the District shall also not be tolerated and is strictly prohibited.

All students, school employees, school volunteers, parents, guests, visitors and vendors shall conduct themselves in a civil and responsible manner and in a manner consistent with school policies. This policy prohibiting sexual harassment shall apply to all students, school employees, school volunteers, parents, guests, visitors and vendors while on school property, while attending or participating in school activities, on school-owned property or on non-school property, while in any school-owned or leased vehicle, while at a school bus stop, or when in a private vehicle located on school property during school or during school activities.

The District shall investigate all reported instances involving sexual harassment. Attempts to informally or voluntarily resolve the complaint should not delay the commencement of the District's investigation. Unless a different person is designated by the Superintendent to conduct the investigation, the school administrator of the school attendance center where the sexual harassment is alleged to have occurred is responsible for investigating the alleged sexual harassment. Allegations of sexual harassment may also be reported by the administration to other authorities, including but not limited to law enforcement.

The District will maintain confidentiality to the maximum extent possible under the circumstances. However, a person reporting sexual harassing conduct must understand that should the administrator who is investigating the report determine there is reasonable cause to suspect that sexual harassment did occur which could result in administrative discipline or a referral to the School Board, the person alleged to have sexually harassed another person may have the right to know the identity of the person(s) making the report in order that he/ she may have an opportunity to defend himself/herself.

The District strictly prohibits retaliation against any person because he or she has made a report, testified, assisted, or participated in the investigation of a report of alleged sexual harassment. Retaliation includes, but is not limited to, any form of verbal or physical reprisal or adverse pressure. The person(s) alleged to have sexually harassed another person shall not directly or indirectly (such as through a third person) harass, pressure, or retaliate against any other person because of the complaint being reported. A violation of this provision may lead to separate disciplinary action based on the retaliation. Any person who believes he or she is

being subjected to retaliation because of his or her involvement with a sexual harassment report should immediately contact a school administrator.

Students who violate this policy shall be subject to appropriate disciplinary action, up to and including expulsion. Employees who violate this policy shall be subject to appropriate disciplinary action, up to and including termination of employment. School volunteers, parents, guests, visitors, and vendors who violate this policy may be prohibited from being on school property.

Complaints against school employees and complaints related to bullying are addressed through other school district policies and not through this policy.

SECTION 2 - Sexual Harassment Defined

Sexual harassment is defined as sexually oriented words and actions which tend to annoy, alarm or be physically or verbally abusive toward another person and which serve no legitimate or valid purpose regardless of the intent of the person accused of the sexually harassing conduct. Not all harassment falls within the definition of sexual harassment (i.e., harassment that is of a sexual nature). Other laws, regulations and policies also prohibit inappropriate conduct and provide a means for addressing inappropriate conduct should it occur.

Sexual harassment is a specific type of harassment which is prohibited under this policy. Examples of sexual harassment include, but not limited to:

1. Unwelcome sexual flirtations, advances or propositions;
2. Verbal comments, jokes, or abuse of a sexual nature;
3. Graphic verbal comments about an individual's body;
4. Sexually degrading words used to describe an individual;
5. Displaying pornographic material;
6. Physical contact or language of a sexually suggestive nature.

SECTION 3 - Sexual Harassment Reporting Procedure

Any individual who believes that he or she has been or is being subjected to sexual harassment or has reason to suspect another person has been or is being subjected to sexual harassment should immediately report it to a teacher, guidance counselor, or school administrator. The report may be made verbally or in writing. A report may be made anonymously, although disciplinary action may not be based solely on an anonymous report. If disciplinary action is being requested, the individual reporting the sexual harassment will be asked to either submit a signed written complaint or sign a completed Sexual Harassment Report Form, Exhibit ACAA-E(1), verifying the accuracy of its content. The written complaint or Sexual Harassment Report Form must include the following:

- the date the written complaint was filed or the Sexual Harassment Report Form was completed,
- the school employee receiving the complaint (if applicable),
- the name of the person reporting the sexual harassment,
- the address/phone # of the person reporting the sexual harassment,
- the specific conduct or nature of the sexual harassment complaint including the person(s) alleged to have sexually harassed the complaining party or another person, the date(s) and location where the conduct occurred, witnesses, etc.,
- the date the school employee completed the form (if applicable),
- the date and signature of the person reporting the sexual harassment .

If the signed written complaint was given to a teacher or guidance counselor, or if the Sexual Harassment Report Form was completed by a teacher or guidance counselor, the teacher or guidance counselor shall forward the complaint or Sexual Harassment Report Form to the teacher's building school administrator.

SECTION 4 - Procedure for Addressing Sexual Harassment Complaints

STEP 1: School Administrator Investigation and Determination.

Should there be a report which alleges a District student, employee, school volunteer, parent, guest, visitor or vendor has been subjected to sexual harassment, an investigation into the alleged sexual harassment will be initiated. The District's investigation may include, but is not limited to, such things as interviewing individuals with actual or possible knowledge regarding the conduct in question, identifying facts related to the conduct in question, identifying when and over what period of time the conduct is to have occurred, determining whether the conduct negatively affects the educational opportunities or employment condition of the victim, identifying prior history of a similar nature by any of the individuals involved, and attempting to obtain possible verification from other persons. The investigation by the school administrator responsible for the investigation shall be conducted promptly and completed in a reasonable time frame given the nature of the complaint. Unless the nature of the complaint and investigation dictate otherwise, the investigation should be completed and determination made by the school administrator on the merits of the complaint within thirty (30) calendar days of receipt of the complaint.

The person alleged to have sexually harassed another person will be notified that a complaint has been filed pursuant to this policy and that the complaint is being investigated. The name of the person making the complaint will not be disclosed to the person alleged to have violated this policy unless and until the investigation results in a determination that there is reasonable cause to suspect that sexual harassment did occur.

Upon reasonable suspicion by the school administrator responsible for the investigation that the allegation of sexual harassment may be true, the employee, student or third person accused of sexual harassment conduct shall be notified in writing that reasonable

suspicion exists that the complaint may be valid, including a statement of the facts supporting the determination that reasonable suspicion exists, and the name of the alleged victim.

The person alleged to have sexually harassed another person in violation of this policy shall be afforded an opportunity to respond to the allegation of sexual harassment but is not required to submit a response.

Pending the outcome of the investigation the school administrator responsible for conducting the investigation may take such action consistent with school policy and state law as deemed appropriate in order to facilitate the investigation and protect the rights of all persons involved. If there is reasonable suspicion to believe that a third person sexually harassed a student, employee or guest while at school or at a school activity on non-school property in violation of this policy, the administration may prohibit that person from being on school property or at school activities.

At the conclusion of the investigation, the school administrator shall make a determination as to whether sexual harassment did occur or whether the facts are insufficient to determine that a determination that sexual harassment occurred. The complainant and the person alleged to have sexually harassed another person will receive written notice of the school administrator's determination. Should the school administrator conclude that sexual harassment did occur, the school administrator shall take such action as deemed appropriate, which may include imposing disciplinary consequences on the person found to have violated this policy prohibiting sexual harassment.

STEP 2: Appeal to the Superintendent

The following procedure shall be used to address an appeal of the school administrator's decision in Step 1 to the Superintendent:

1. If either party is not satisfied with the school administrator's decision, or if the school administrator does not render a written decision within fourteen (14) calendar days of the request for a decision on the merits of the complaint, that party may appeal to the Superintendent by filing form ACAA-E(2). The appeal must be filed within ten (10) calendar days of receipt of the school administrator's written decision, or ten (10) days of the deadline for the school administrator's written decision, whichever comes first. The appealing party must attach the school administrator's written decision.
2. Within fourteen (14) calendar days from the date the appeal was filed, the Superintendent shall render a decision in writing. All parties shall receive copies of the decision. The Superintendent shall uphold, reverse, modify the school administrator's decision, or the Superintendent may refer the matter back to the school administrator for further investigation and supplemental decision which

decision may restate, modify or reverse the school administrator's initial decision. A supplemental decision by the school administrator after a referral back to the school administrator is subject to appeal to the Superintendent. The time frame for rendering a decision by the Superintendent may be extended by the Superintendent for good cause and upon written notification to all parties, which notification shall identify the reason for the extension and the date on or before which the decision shall be rendered.

STEP 3: Appeal to the Board

If either party is not satisfied with the Superintendent's decision, or if the Superintendent does not render a written decision within fourteen (14) calendar days of the receipt of the appeal, that party may appeal to the School Board by filing with the Business Manager using Form ACAA-E(3) within ten (10) calendar days of receipt of the Superintendent's written decision, or ten (10) days of the deadline for the Superintendent's written decision, whichever comes first. The appeal shall be in writing and the appealing party must attach to the appeal the school administrator's written decision, the appeal to the Superintendent, and the Superintendent's written decision or notice of the Superintendent's failure to render a written decision.

The following procedure shall be used by the Board to address an appeal of the Superintendent's decision on the merits related to a sexual harassment complaint:

1. Upon receipt by the Board President/Chairperson of an appeal by the Complainant, a copy of the appeal shall be given to the person alleged to have violated the sexual harassment policy.
2. Upon receipt of an appeal, the Board shall at its next meeting schedule a date, time and location for the appeal hearing.
3. The following procedure shall be applicable at the appeal hearing before the Board:
 - A. The Board shall appoint a board member or a person who is not an employee of the school district as the hearing officer;
 - B. Within thirty (30) calendar days of an appeal being filed with the Board, the Board shall conduct a hearing in executive session;
 - C. The Complainant, person alleged to have violated the bullying policy, and Superintendent each have the right to be represented at the hearing;
 - D. The Board shall make a verbatim record of the hearing by means of an electronic or mechanical device or by court reporter. This record and any exhibits must be sealed and must remain with the hearing officer until the appeal process has been completed;
 - E. The issue on appeal is whether the Superintendent's decision should be upheld, reversed or modified;

- F. All parties shall be given the opportunity to make an opening statement, with the appealing party being given the first opportunity, followed by the other party, and then the Superintendent;
- G. The appealing party shall present his or her case first, and the other party shall then present his or her case. Both parties shall have the opportunity to ask questions of the other's witnesses. The hearing officer and board members may ask questions of any witness;
- H. The Superintendent shall present the basis of his/her decision which led to the appeal. Both parties shall have the opportunity to ask the Superintendent questions. The hearing officer and board members may also ask questions of the Superintendent;
- I. Unless a witness is a party to the appeal, witnesses may be present only when testifying unless the hearing officer rules otherwise. All witnesses must take an oath or affirmation administered by the School Board president, hearing officer or other person authorized by law to take oaths and affirmations;
- J. The hearing officer shall admit all relevant evidence. The hearing officer may limit unproductive or repetitious evidence. The strict rules of evidence do not apply. *Moran v. Rapid City Area School Dist.*, 281 N.W.2d 595, 602 (S.D. 1979).
- K. All parties shall be given the opportunity to make a closing statement, with the appealing party having the first opportunity, followed by the other party, and then the Superintendent. The appealing party shall be given the opportunity for a brief rebuttal;
- L. After the evidentiary hearing, the Board shall continue to meet in executive session for deliberations. No one other than the hearing officer may meet with the Board during deliberations. The Board may seek advice during deliberation from an attorney who has not represented any of the parties to the hearing. Consultation with any other person during deliberation may occur only if a representative of both parties and Superintendent are present. The Board may, in its sole discretion, continue the proceedings and make a final decision on the appeal at a later date. Within twenty (20) calendar days of the hearing, the Board shall render its decision and issue its written Findings of Fact, Conclusions of Law and Decision. The time frame for rendering a decision may be extended by the Board President for good cause and upon written notification to both parties and the Superintendent, and the notification shall identify the reason for the extension and the date on or before which the decision shall be rendered;
- M. The decision of the School Board must be based solely on the evidence presented at the hearing and must be formalized by a motion made in open meeting. The Board will convene in open session and a motion to uphold, reverse, or modify the Superintendent's decision shall be made and voted upon. Findings of Fact, Conclusions of Law and Decision, consistent with the Board motion shall be in writing and approved by the Board. Both parties, the school administrator and the Superintendent will receive copies after the Findings of Fact, Conclusions of Law and Decision are approved by the Board.

- N. Following the Board hearing, should the Board determine there has been a violation of this policy prohibiting sexual harassment, Board action may include but is not limited to the following: (1) suspend or expel a student from any or all school programs, including but not limited to classes, extracurricular activities, or attendance at school activities; (2) pursuant to statute, reprimand, suspend without pay, or terminate the contract of an employee, or (3) prohibit a third person from being on school property or at school activities for such time as may be determined by the Board.
- O. If either party is dissatisfied with the Board's decision, that party may appeal the decision by filing an appeal pursuant to law.

Notes - Recommend Replacing Current ABA With ASBSD Sample Policy

**SEXUAL HARASSMENT
COMPLAINT REPORT FORM**

Date Form Completed: _____

Form Completed by: _____

Person Reporting Sexual Harassment: _____

Address/Phone # of the Person Reporting the Sexual Harassment: _____

Employee Involved: _____

Nature of Complaint: (With specificity, identify the person(s) alleged to have sexually harassed, the conduct which is the basis of the sexual harassment complaint, when/where the conduct occurred, the person(s) alleged to have sexually harassed, witnesses, and any other pertinent information):

_____ (use additional sheets if necessary).

Date School Employee Completing the Sexual Harassment Report Form

Date Person Reporting the Sexual Harassment

**SEXUAL HARASSMENT COMPLAINT
APPEAL TO THE SUPERINTENDENT**

I/We Appeal the Principal's Step 1 decision for the following reason(s): [With specificity, Complainant should state how or why the Complainant believes the Principal's decision is wrong] :

ATTACH A COPY OF THE SEXUAL HARASSMENT REPORT AND THE PRINCIPAL'S DECISION.

Date Complainant

Date Received Superintendent

Notes - Recommend Adopting ASBSD Sample Form.

**SEXUAL HARASSMENT COMPLAINT
APPEAL TO THE SCHOOL BOARD**

I/We Appeal the Superintendent's step 2 decision for the following reason(s):
[With specificity, Complainant should state how or why the Complainant believes
the Superintendent's decision is wrong]:

ATTACH A COPY OF THE SEXUAL HARASSMENT REPORT, PRINCIPAL'S
DECISION, APPEAL TO THE SUPERINTENDENT, EMPLOYEE'S STEP 2
WRITTEN RESPONSE(S) IF ANY, AND THE SUPERINTENDENT'S DECISION.

Date Complainant

Date Received Board President/Chairperson - Business Manager

Notes - Recommend Adopting ASBSD Sample Form.



Bullying/Harassment

Harassment and bullying of students is against federal, state and local policy, and is not tolerated by the Huron Board of Education. In an effort to inform staff, students, and parents, copies of this policy will be available in the offices of the Superintendent, Director of Instruction, and Principal(s), and a link on the home page of the District website. The Board is committed to providing all students with a safe and civil school environment in which all members of the school community are treated with dignity and respect. To that end, the Board has in place policies, procedures, and practices that are designed to reduce and eliminate bullying and harassment as well as processes and procedures to deal with incidents of bullying and harassment. Bullying and harassment of students by students, school employees, and volunteers who have direct contact with students will not be tolerated in the school or school district. Pursuant to policy, the Huron School District does not condone or tolerate harassment or bullying and it is strictly prohibited. Bullying, harassment, hazing, or any other victimization of students or staff based on actual or perceived traits or characteristics of the student or staff including but not limited to: race, color, creed, sex, national origin, religion, age or disability by any student or employee of the Huron School District shall not be tolerated. This conduct will not be allowed at any Huron School District facility including but not limited to playgrounds, practice fields, parking lots, Huron Arena, Tiger Activities Center, or Tiger Stadium. Furthermore, such conduct will not be tolerated at any school sanctioned activity by anyone including guests or visitors of the Huron School District.

This policy shall apply to any persons on school property and also at any and all school sanctioned activities and events whether or not they occur on school property. This includes school vehicles or vehicles leased by the Huron School District or private vehicles that are on school property. This policy also applies to Huron School District students and employees not on school property or at a school event but in situations when the conduct directly affects the good order, efficient management and welfare of the school, school district or its students or staff or causes a substantial disruption to the educational process. Violations of this policy may be subject to disciplinary action up to and including expulsion of students or termination of employees. Volunteers, visitors, or guests of the Huron School District who are in violation of this policy may be prohibited from access to any Huron School District property. Incidents of bullying may be serious enough to involve the School Resource Officer (SRO) or other law enforcement from the initial complaint or may be brought in at any time during the investigation.

Harassment and bullying mean any electronic, written, verbal, or physical act or conduct toward a student which is based on any actual or perceived trait or characteristic of the student and which creates an objectively hostile school environment that meets one or more of the following conditions:

- Places the student in reasonable fear of harm to the student's person or property;
- Has a substantially detrimental effect on the student's physical or mental health;
- Has the effect of substantially interfering with the student's academic performance; or



- Has the effect of substantially interfering with the student's ability to participate in or benefit from the services, activities, or privileges provided by a school.

"Electronic" means any communication involving the transmission of information by wire, radio, optical cable, electromagnetic, or other similar means. "Electronic" includes but is not limited to communication via electronic mail, internet-based communications, pager service, cell phones, electronic text messaging, or similar technologies.

Bullying or harassment has the purpose or effect of substantially or unreasonably interfering with a student's educational opportunities. This includes but is not limited to academic, co-curricular, extra-curricular and social activities. Harassment and bullying may include, but are not limited to, the following behaviors and circumstances:

- Verbal, nonverbal, physical or written harassment, bullying, hazing, or other victimization that have the purpose or effect of causing injury, discomfort, fear, or suffering to the victim;
- Repeated remarks of a demeaning nature that have the purpose or effect of causing injury, discomfort, fear, or suffering to the victim;
- Implied or explicit threats concerning one's grades, achievements, property, etc. that have the purpose or effect of causing injury, discomfort, fear, or suffering to the victim;
- Demeaning jokes, stories, or activities directed at the student that have the purpose or effect of causing injury, discomfort, fear, or suffering to the victim;
- Unreasonable interference with a student's performance or creation of an intimidating, offensive, or hostile learning environment; and/or
- Stalking, harassment and threatening/harassing contacts by telephone, texting, email and other communication devices.

Sexual harassment means unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

- Submission to the conduct is made either implicitly or explicitly a term or condition of the student's education or benefits;
- Submission to or rejection of the conduct by a school employee is used as the basis for academic decisions affecting that student; or
- The conduct has the purpose or effect of substantially interfering with the student's academic performance by creating an intimidating, hostile, or offensive education environment.

In situations between students and school officials, faculty, staff, or volunteers who have direct contact with students, bullying and harassment may also include the following behaviors:

- Requiring that a student submit to bullying or harassment by another student, either explicitly or implicitly, as a term or condition of the targeted student's education or participation in school programs or activities; and/or
- Requiring submission to or rejection of such conduct as a basis for decisions affecting the student.

Retaliation against a person because the person has filed a bullying or harassment complaint or assisted and/or participated in a harassment investigation or proceeding is prohibited. An



individual who knowingly files a false harassment complaint and a person who gives false statements in an investigation shall be subject to discipline by appropriate measures, as shall a person who is found to have retaliated against another in violation of this policy. A student found to have retaliated in violation of this policy shall be subject to measures up to, and including, suspension and expulsion. A school employee found to have retaliated in violation of this policy shall be subject to measures up to, and including, termination of employment. A school volunteer found to have retaliated in violation of this policy shall be subject to measures up to, and including, exclusion from school grounds. Individuals who knowingly file a false complaint may be subject to appropriate disciplinary action.

The school or school district will promptly and reasonably investigate allegations of bullying or harassment. The building principal or assistant principal or designee will be responsible for handling all complaints by students alleging bullying or harassment.

It is the responsibility of the superintendent, in conjunction with the investigator and principals, to develop procedures regarding this policy.

The superintendent is responsible for organizing training programs for students, school officials, faculty, staff, and volunteers who have direct contact with students. This training will take place no later than the first 20 school days of each school year. The training will include how to recognize bullying/harassment and what to do in case a student is bullied/harassed. It will also include proven effective bullying/harassment prevention strategies. The superintendent will develop a process for evaluating the effectiveness of the policy in reducing bullying/harassment. As part of this evaluation the superintendent will determine what additional training, if any, is necessary to improve effectiveness of the policy and procedures. The superintendent shall annually report to the Board on the implementation of this policy and its effectiveness in reducing bullying and harassment. The superintendent will make recommendations to modify this policy and/or its accompanying procedures to ensure they are effective.

All documentation associated with a complaint shall be maintained by the building principal for a period of three years. The superintendent is responsible for monitoring the written records to ensure the policies and procedures are being followed. The superintendent can be contacted at 150 5th Street SW, Huron, SD 57350 or by calling 605-353-6990.

The Board will annually publish this policy. The policy may be publicized by the following means:

- Inclusion in the student handbook,
- Inclusion in the employee handbook
- Inclusion in the registration materials
- Inclusion on the school or school district's web site and a copy shall be made to any person at the central administrative office at 150 5th St. SW, Huron, SD 57350.

All forms are located in Section F of the policy manual.



Bullying/Harassment Investigation Procedures

Students who feel that they have been bullied/harassed should:

- Communicate to the bully/harasser that the individual expects the behavior to stop, if the individual is comfortable doing so. If the individual wants assistance communicating with the bully/harasser, the individual should ask a teacher, counselor, bus driver or principal to help.
- If the bullying/harassment does not stop, or the individual does not feel comfortable confronting the harasser, the individual should:
 - tell a teacher, counselor, bus driver or principal; and
 - write down (or narrate to parent or school official) exactly what happened, keep a copy and give another copy to the teacher, counselor or principal including:
 - what, when and where it happened;
 - who was involved;
 - exactly what was said or what the bully/harasser did;
 - witnesses to the bullying/harassment;
 - what the student said or did, either at the time or later;
 - how the student felt; and
 - how the bully/harasser responded.
 - teachers or counselors receiving a report, or who witness bullying or harassment, must report the incident to the building principal by the end of the school day in which the event occurred, but in no case later than the morning of the next school day.

All staff that receive a report of bullying/harassment or view bullying/harassment behavior must fill out the bullying incident form and submit it to the school principal within one school day from the incident. While it is strongly encouraged that students complete a bullying/harassment report, the filing of a report is not mandatory. Staff are still required to complete the incident report form if a student or another staff member or parent or other interested party comes to them to report that they or someone they know was bullied or harassed. The principal may conduct an investigation of the incomplete report.

FORMAL COMPLAINT PROCEDURE

An individual who believes that he/she has been harassed or bullied will notify the principal or assistant principal in his/her building who is the designated investigator. The alternate investigator is the school counselor assigned to a student's attendance center. The investigator may request that the individual complete the /Bullying/Harassment Formal Complaint form and turn over evidence of the harassment, including, but not limited to, letters, tapes, or pictures. The complainant shall be given a copy of the completed complaint form. Information received during the investigation is kept confidential to the extent possible. When possible, the principal should utilize the school counselor as a "third party recorder" providing an independent document for reference to the investigation, interviews, and resolution meetings.



The principal or the alternate investigator, with permission from the principal, has the authority to initiate an investigation in the absence of a written complaint.

INVESTIGATION PROCEDURE

The investigator will reasonably and promptly commence the investigation upon receipt of the complaint. The investigation should begin within two school days, or within two work days during school recesses. Extenuating circumstances causing the delay of an investigation must be submitted to the superintendent for approval. The length of the investigation is governed by the facts and complexity of each individual case but should be completed within 30 days of the complaint. The superintendent may approve an extension in special circumstances. The investigator will interview the complainant and the alleged harasser. The alleged bully/harasser may file a written statement in response to the complaint. The investigator may also interview witnesses as deemed appropriate.

Upon completion of the investigation, the investigator will make written findings and conclusions as to each allegation of bullying/harassment and produce written findings and conclusions. An alternate investigator will provide a copy of the written findings of the investigation to the principal.

RESOLUTION OF THE COMPLAINT

Following the completion of his/her own investigation or upon receipt of an alternate investigator's report, the principal may investigate further, if deemed necessary, and make a determination of any appropriate additional steps, which may include discipline. If during the course of completing the report, it is determined that the report is a false report, the completed form will still be provided to the principal who may take disciplinary action for filing a false report. Filing of false reports may be considered by the principal when determining if bullying or harassment has occurred.

A key to resolution is the determination of a pattern of misbehavior by one student or a specific group of students. Accurate recording in the student data system will allow principals to discover documented patterns of misbehavior, which are relevant to resolution of the complaint. This information is confidential to the principal in compliance with Family Educational Rights and Privacy Act (FERPA).

The principal will file a written report closing the case and documenting any disciplinary action taken or any other action taken in response to the complaint. The remedial actions taken by the principal, including disciplinary action where appropriate should be designed to prevent further bullying/harassment. Parents of both the victim(s) and any perpetrator(s) will be informed of the results of the investigation and the principal's findings. The alleged victim or his/her parents may not know the disciplinary action imposed nor may the alleged perpetrator or his/her parents know any of the personally identifiable information such as victim, witnesses, or specifics of the alleged incident beyond the disciplinary action imposed. If parents object to the decision of the principal they may file a grievance as set out in Huron School District, School Board policy (CP-1). The principal, or designee, will monitor the effectiveness of the remedial actions taken by contacting the complainant at least twice during the month following the investigation resolution. These contacts should be included in the documentation. If further



remedial actions are necessary, the case shall remain open with ongoing monitoring and documentation. The complainant, the alleged harasser and the investigator will receive notice as to the conclusion of the investigation. The principal will maintain a log of all complaints, findings, and actions taken, and will maintain all documentation related to a complaint investigation for three years.

POINTS TO REMEMBER IN THE INVESTIGATION

- Evidence uncovered in the investigation is confidential.
- Complaints must be taken seriously and promptly investigated.
- No retaliation will be taken against complainant/individuals involved in the investigation process.
- Retaliators will be disciplined up to and including suspension and expulsion.


CONFLICTS

If the investigator is a witness to the incident, the principal may assign the alternate investigator to the incident.

MONITORING EFFECTIVENESS

The superintendent is responsible to monitor the effectiveness of the bullying/harassment prevention efforts and the timely reporting to the Board of Education. The principal will annually report to the superintendent the number and type of complaints investigated under this policy and the results, including disciplinary actions taken and the effectiveness of those actions, including follow-up contacts. The documentation supplied by the building principals will be reviewed by central administration to coordinate data district-wide and formulate a comprehensive report. The report will include the number and type of complaints filed under this policy with comparative data from previous years as it becomes available. The report may also include district-wide or individual building survey results related to bullying and harassment.

This policy shall not be interpreted to prohibit civil exchange of opinions or debate protected under the state or federal constitutions where the opinion expressed does not otherwise materially or substantially disrupt the education process or intrude upon the rights of others.

	Huron School District #2-2	Code: ABC
	Policies and Regulations	Non-Discrimination on the Basis of Disability

Non-Discrimination on the Basis of Disability

It will be the policy of the Huron School District to adhere to the concept of non-discrimination on the basis of handicapping conditions. The Board will support Section 504 of the Rehabilitation Act of 1973. In doing so, the Board will:

1. Not discriminate against a qualified handicapped person in any aspect of school division employment solely on the basis of handicap.
2. Make facilities, programs, and activities accessible, usable, and open to qualified handicapped persons.
3. Provide free, appropriate education at elementary and secondary levels, including non-academic and extra-curricular services and activities, to qualified handicapped persons.
4. Not exclude any qualified handicapped person solely on the basis of handicap from participation in any pre-school education or day care program or activity or any adult education or vocational program or activity.
5. Provide each qualified handicapped person with the same health, welfare, and social services as are provided other persons.

The Board holds the general view that:

1. Discrimination against qualified handicapped persons solely on the basis of handicap is unfair.
2. To the extent reasonably possible, qualified handicapped persons should be in the mainstream of life in a school community.

Accordingly, employees of the District will comply with the above requirements of the law and any regulations approved by the Board or its administration for ensuring a policy of non-discrimination on the sole basis of handicap. The Board designates the superintendent or superintendent's designee to act as the District's compliance officer for employees and students.

No person in the District will, on the basis of handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activities.

NONDISCRIMINATION ON THE BASIS OF HANDICAP/ DISABILITY

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Notes - Recommend Changing Code ABC to ACB

HURON PUBLIC SCHOOL DISTRICT WELLNESS POLICY

Based on the SOUTH DAKOTA MODEL WELLNESS POLICY and the ALLIANCE FOR A HEALTHIER GENERATION MODEL WELLNESS POLICY

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Preamble

Huron Public School District (hereto referred to as the District) is committed to the optimal development of every student. The District believes that for students to have the opportunity to achieve personal, academic, developmental and social success, we need to create positive, safe and health-promoting learning environments at every level, in every setting, throughout the school year.

Research shows that two components, good nutrition and physical activity before, during and after the school day, are strongly correlated with positive student outcomes. For example, student participation in the U.S. Department of Agriculture's (USDA) School Breakfast Program is associated with higher grades and standardized test scores, lower absenteeism and better performance on cognitive tasks. ^{1,2,3,4,5,6,7}

Conversely, less-than-adequate consumption of specific foods including fruits, vegetables and dairy products, is associated with lower grades among students. ^{8,9,10}

In addition, students who are physically active through active transport to and from school, recess, physical activity breaks, high-quality physical education and extracurricular activities – do better academically. ^{11,12,13,14}

Finally, there is evidence that adequate hydration is associated with better cognitive performance. ^{15, 16, 17}

This policy outlines the District's approach to ensuring environments and opportunities for all students to practice healthy eating and physical activity behaviors throughout the school day while minimizing commercial distractions.

Specifically, this policy establishes goals and procedures to ensure that:

- Students in the District have access to healthy foods throughout the school day – both through reimbursable school meals and other foods available throughout the school campus– in accordance with Federal and state nutrition standards;
- Students receive quality nutrition education that helps them develop lifelong healthy eating behaviors;
- Students have opportunities to be physically active during and after school;
- Schools engage in nutrition and physical activity promotion and other activities that promote student wellness;
- School staff are encouraged and supported to practice healthy nutrition and physical activity behaviors in and out of school;
- The community is engaged in supporting the work of the District in creating continuity between school and other settings for students and staff to practice lifelong healthy habits; and
- The District establishes and maintains an infrastructure for management, oversight, implementation, communication about and monitoring of the policy and its established goals and objectives. This policy applies to all students, staff and schools in the District. Specific measureable goals and outcomes are identified within each section below.

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I. School Wellness Committee

Committee Role and Membership

The District will convene a representative district wellness committee (hereto referred to as the local wellness committee or work within an existing school health committee) periodically to establish goals for and oversee school health and safety policies and programs, including development, implementation and periodic review and update of this district-level wellness policy (heretofore referred as “wellness policy”). The local wellness committee membership will represent all school levels (elementary and secondary schools) and include (to the extent possible), but not be limited to: parents and caregivers; students; representatives of the school nutrition program (e.g., school nutrition director); physical education teachers; health education teachers; school health professionals (e.g., health education teachers, school health services staff [e.g., nurses, physicians, dentists, health educators, and other allied health personnel who provide school health services], school administrators (e.g., superintendent, principal, vice principal), school board members; health professionals (e.g., dietitians, doctors, nurses, dentists); and the general public. The name(s), title(s), and contact information (email address is sufficient) of this/these individual(s) is (are): (Wellness Policy Committee).

Wellness Policy Committee Name	Title / Relationship to the School or District	Email address	Role on Committee
Terry Nebelsick	Superintendent of Schools	Terry.Nebelsick@k12.sd.us	Assists in the evaluation of the district wellness policy and implementation
Garret Bischoff	Board of Education Member	g_bisch@hotmail.com	
Mike Radke	High School Principal	Mike.Radke@k12.sd.us	
Jolene Konechne	Asst. High School Principal	Jolene.Konechne@k12.sd.us	
Mike Taplett	Middle School Principal	Mike.Taplett@k12.sd.us	
Laura Willemsen	Asst. Middle School Principal	Laura.Willemsen@k12.sd.us	
Peggy Heinz	Buchanan K-1 Center Principal	Peggy.Heinz@k12.sd.us	
Heather Rozell	Madison 2-3 Center Principal	Heather.Rozell@k12.sd.us	
Beth Foss	Washington 4-5 Center	Beth.Foss@k12.sd.us	
Sherri Nelson	Principal	Sherri.Nelson@k12.sd.us	
Kari Hinker	Director of Curriculum	Kari.Hinker@k12.sd.us	
Carol Tompkins	Director ESL Program	Carol.Tompkins@k12.sd.us	
Rita Baszler	Nutrition Director	Rita.Baszler@k12.sd.us	
Jessica Van Diepen	School Nurse (Mad/Wash)	JessicaVanDiepen@k12.sd.us	
Raleigh Larson	School Nurse (MS) School Nurse (Buch/HS)	Raleigh.Larson@k12.sd.us	

Leadership

The Superintendent or designee(s) will convene the local wellness committee and facilitate development of and updates to the wellness policy, and will ensure each school’s compliance with the policy. Designated official for oversight Carol Tompkins, Nutrition Director, carol.tompkins@k12.sd.us
Each school will designate a school wellness policy coordinator, who ensures compliance with the policy.

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II. Wellness Policy Implementation, Monitoring, Accountability and Community Engagement

Implementation Plan

The District will develop and maintain a plan for implementation to manage and coordinate the execution of this wellness policy. The plan delineates roles, responsibilities, actions and timelines specific to each school; and includes information about responsibilities, specific goals, and objectives for nutrition standards for all foods and beverages available on the school campus, food and beverage marketing, nutrition promotion and education, physical activity, physical education and other school-based activities that promote student wellness. It is recommended that the school use the Healthy Schools Program online tools to complete a school-level assessment based on the Centers for Disease Control and Prevention's School Health Index, create an action plan that fosters implementation and generate an annual progress report. This wellness policy and the progress reports can be found at: www.huron.k12.sd.us/ Look under the Food and Nutrition tab for wellness policy progress reports.

Recordkeeping

The District will retain records to document compliance with the requirements of the wellness policy at Nutrition Office and the District website for three years past the current year. Documentation maintained in location will include but will not be limited to:

- The written wellness policy;
- Documentation demonstrating that the policy has been made available to the public;
- Documentation of efforts to review and update the Local Schools Wellness Policy; including an indication of who is involved in the update and methods the district uses to make stakeholders aware of their ability to participate on the local wellness committee;
- Documentation to demonstrate compliance with the annual public notification requirements;
- The most recent assessment on the implementation of the local school wellness policy;
- Documentation demonstrating the most recent assessment on the implementation of the Local School Wellness Policy has been made available to the public.

Annual Notification of Policy

The District will actively inform families and the public each year of basic information about this policy, including its content, any updates to the policy and implementation status. The District will make this information available via the district website and/or district-wide communications. The District will provide as much information as possible about the school nutrition environment. This will include a summary of the District's (or schools') events or activities related to wellness policy implementation. Annually, the District will also publicize the name and contact information of the District/school officials leading and coordinating the committee, as well as information on how the public can get involved with the school wellness committee.

Triennial Progress Assessments

At least once every three years, the District will evaluate compliance with the wellness policy to assess the implementation of the policy and include:

- The extent to which schools under the jurisdiction of the District are in compliance with the wellness policy;
- The extent to which the District's wellness policy compares to a model policy (like the Alliance for a Healthier Generation's model wellness policy or the State Model Wellness Policy); and
- A description of the progress made in attaining the goals of the District's wellness policy.

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- A description of the progress made in attaining the goals of the District's wellness policy.

The position/person responsible for managing the triennial assessment and contact information is Carol Tompkins, Nutrition Director. Email address carol.tompkins@k12.sd.us

The local wellness committee, in collaboration with individual schools, will monitor schools' compliance with this wellness policy. The District will actively notify households/families of the availability of the triennial progress report.

Revisions and Updating the Policy

The local wellness committee will update or modify the wellness policy based on the results of the annual School Health Index and triennial assessments and/or as District priorities change; community needs change; wellness goals are met; new health science, information, and technology emerges; and new Federal or state guidance or standards are issued. The wellness policy will be assessed and updated as indicated at least every three years, following the triennial assessment.

Community Involvement, Outreach and Communications

The District is committed to being responsive to community input, which begins with awareness of the wellness policy. The District will actively communicate ways in which representatives of local wellness committee and others can participate in the development, implementation and periodic review and update of the wellness policy through a variety of means appropriate for that district. The District will also inform parents of the improvements that have been made to school meals and compliance with school meal standards, availability of child nutrition programs and how to apply, and a description of mechanisms, such as email or displaying notices on the district's website, as well as non-electronic mechanisms, such as newsletters, presentations to parents, or sending information home to parents, to ensure that all families are actively notified of the content of, implementation of, and updates to the wellness policy, as well as how to get involved and support the policy. The District will ensure that communications are culturally and linguistically appropriate to the community, and accomplished through means similar to other ways that the district and individual schools are communicating important school information with parents. The District will actively notify the public about the content of or any updates to the wellness policy annually, at a minimum. The District will also use these mechanisms to inform the community about the availability of the annual and triennial reports.

The position/person responsible for managing the triennial assessment and contact information is Carol Tompkins, Nutrition Director. Email address carol.tompkins@k12.sd.us

The local wellness committee, in collaboration with individual schools, will monitor schools' compliance with this wellness policy. The District will actively notify households/families of the availability of the triennial progress report.

Revisions and Updating the Policy

The local wellness committee will update or modify the wellness policy based on the results of the annual School Health Index and triennial assessments and/or as District priorities change; community needs change; wellness goals are met; new health science, information, and technology emerges; and new Federal or state guidance or standards are issued. The wellness policy will be assessed and updated as indicated at least every three years, following the triennial assessment.

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III. Nutrition

School Meals

Our school district is committed to serving healthy meals to children, with plenty of fruits, vegetables, whole grains, and fat-free and low-fat milk; that are moderate in sodium, low in saturated fat, and have zero grams *trans* fat per serving (nutrition label or manufacturer's specification); and to meeting the nutrition needs of school children within their calorie requirements. The school meal programs aim to improve the diet and health of school children, help mitigate childhood obesity, model healthy eating to support the development of lifelong healthy eating patterns and support healthy choices while accommodating cultural food preferences and special dietary needs. All schools within the District participate in USDA child nutrition programs, including the National School Lunch Program (NSLP), the School Breakfast Program (SBP), Fresh Fruit and Vegetable Program (FFVP), and the Summer Food service Program (SFSP).

All schools within the District are committed to offering school meals through the NSLP and SBP programs, and other applicable Federal child nutrition programs, that:

- Are accessible to all students;
- Are appealing and attractive to children;
- Are served in clean and pleasant settings;
- Meet or exceed current nutrition requirements established by local, state, and Federal statutes and regulations.
- Promote healthy food and beverage choices, such as one or more of the following:
 - Whole fruit options are displayed in attractive bowls or baskets (instead of chafing dishes or hotel pans).
 - Sliced or cut fruit is available daily.
 - Daily fruit options are displayed in a location in the line of sight and reach of students.
 - All available vegetable options have been given creative or descriptive names.
 - Daily vegetable options are bundled into all grab-and-go meals available to students.
 - All staff members, especially those serving, have been trained to politely prompt students to select and consume the daily vegetable options with their meal.
 - White milk is placed in front of other beverages in all coolers.
 - Alternative entrée options (e.g., salad bar, yogurt parfaits, etc.) are highlighted on posters or signs within all service and dining areas.
 - A reimbursable meal can be created in any service area available to students (e.g., salad bars, snack rooms, etc.).
 - Student surveys and taste testing opportunities are used to inform menu development, dining space decor and promotional ideas.
 - Student artwork is displayed in the service and/or dining areas.
 - Daily announcements are used to promote and market menu options.

Staff Qualifications and Professional Development

All school nutrition program directors, managers and staff will meet or exceed hiring and annual continuing education/training requirements in the USDA professional standards for child nutrition professionals. These school nutrition personnel will refer to USDA's Professional Standards for School Nutrition Standards website to search for training that meets their learning needs.

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Water

To promote hydration, free, safe, unflavored drinking water will be available to all students throughout the school day* and throughout every school campus* (“school campus” and “school day” are defined in the glossary). The District will make drinking water available where school meals are served during mealtimes.

Competitive Foods and Beverages

The District is committed to ensuring that all foods and beverages available to students on the school campus* during the school day* support healthy eating. The foods and beverages sold and served outside of the school meal programs (e.g., “competitive” foods and beverages) will meet the USDA Smart Snacks in School nutrition standards, at a minimum. Smart Snacks aim to improve student health and well-being, increase consumption of healthful foods during the school day and create an environment that reinforces the development of healthy eating habits.

A summary of the standards and information, as well as a Guide to Smart Snacks in Schools are available at: <http://www.fns.usda.gov/healthierschoolday/tools-schools-smart-snacks> . The Alliance for a Healthier Generation provides a set of tools to assist with implementation of Smart Snacks available at www.foodplanner.healthiergeneration.org . To support healthy food choices and improve student health and well-being, all foods and beverages outside the reimbursable school meal programs that are sold to students on the school campus during the school day will meet or exceed the USDA Smart Snacks nutrition standards. These standards will apply in all locations and through all services where foods and beverages are sold, which may include, but are not limited to, à la carte options in cafeterias, vending machines, school stores and snack or food carts.

Fundraising

Foods and beverages that meet or exceed the USDA Smart Snacks in Schools nutrition standards may be sold through fundraisers on the school campus* during the school day*. The District will make available to parents and teachers a list of healthy fundraising ideas.

Nutrition Promotion

Nutrition promotion and education positively influence lifelong eating behaviors by using evidence-based techniques and nutrition messages, and by creating food environments that encourage healthy nutrition choices and encourage participation in school meal programs. Students and staff will receive consistent nutrition messages throughout schools, classrooms, gymnasiums, and cafeterias. Nutrition promotion also includes marketing and advertising nutritious foods and beverages to students and is most effective when implemented consistently through a comprehensive and multi-channel approach by school staff, teachers, parents, students and the community. The District will promote healthy food and beverage choices for all students throughout the school campus, as well as encourage participation in school meal programs. This promotion will occur through at least:

- Implementing at least ten or more evidence-based healthy food promotion techniques through the school meal programs using Smarter Lunchroom techniques; and
- Ensuring 100% of foods and beverages promoted to students meet the USDA Smart Snacks in School nutrition standards. Additional promotion techniques that the District and individual schools may use are available at <http://www.foodplanner.healthiergeneration.org/> .

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Nutrition Education

The District will model, encourage and support healthy eating by all students. Schools will engage in nutrition promotion that:

- Is designed to provide students with the knowledge and skills necessary to promote and protect their health;
- Is part of not only health education classes, but also integrated into other classroom instruction through subjects such as math, science, language arts, social sciences and elective subjects;
- Includes enjoyable, developmentally-appropriate, culturally-relevant and participatory activities, such as cooking demonstrations or lessons, promotions, taste-testing, farm visits and school gardens;
- Promotes fruits, vegetables, whole-grain products, low-fat and fat-free dairy products and healthy food preparation methods;
- Emphasizes caloric balance between food intake and energy expenditure (promotes physical activity/exercise);
- Links with school meal programs, cafeteria nutrition promotion activities, school gardens, Farm to School programs, other school foods and nutrition-related community services;

Essential Healthy Eating Topics in Health Education

The District supports a health education curriculum; examples of topics below:

- Relationship between healthy eating and personal health and disease prevention
- Food guidance from MyPlate
- Reading and using FDA's nutrition fact labels
- Eating a variety of foods every day
- Balancing food intake and physical activity
- Eating more fruits, vegetables and whole grain products
- Choosing foods that are low in fat, saturated fat, and cholesterol and do not contain *trans* fat
- Choosing foods and beverages with little added sugars
- Eating more calcium-rich foods
- Preparing healthy meals and snacks
- Risks of unhealthy weight control practices
- Accepting body size differences
- Food safety
- Importance of water consumption
- Importance of eating breakfast
- Making healthy choices when eating at restaurants
- Eating disorders
- The Dietary Guidelines for Americans
- Reducing sodium intake
- Social influences on healthy eating, including media, family, peers and culture
- How to find valid information or services related to nutrition and dietary behavior
- How to develop a plan and track progress toward achieving a personal goal to eat healthfully
- Resisting peer pressure related to unhealthy dietary behavior
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Food and Beverage Marketing in Schools

The District is committed to providing a school environment that ensures opportunities for all students to practice healthy eating and physical activity behaviors throughout the school day while minimizing commercial distractions.

The District strives to teach students how to make informed choices about nutrition, health and physical activity. These efforts will be weakened if students are subjected to advertising on District property that contains messages inconsistent with the health information the District is imparting through nutrition education and health promotion efforts. It is the intent of the District to protect and promote student's health by permitting advertising and marketing for only those foods and beverages that are permitted to be sold on the school campus, consistent with the District's wellness policy.

Any foods and beverages marketed or promoted to students on the school campus* during the school day* will meet or exceed the USDA Smart Snacks in School nutrition standards such that only those foods that comply with or exceed those nutrition standards are permitted to be marketed or promoted to students.

Food and beverage marketing is defined as advertising and other promotions in schools. Food and beverage marketing often includes an oral, written, or graphic statements made for the purpose of promoting the sale of a food or beverage product made by the producer, manufacturer, seller or any other entity with a commercial interest in the product.¹⁵

This term includes, but is not limited to the following:

- Brand names, trademarks, logos or tags, except when placed on a physically present food or beverage product or its container.
- Displays, such as on vending machine exteriors
- Corporate brand, logo, name or trademark on school equipment, such as marquees, message boards, scoreboards or backboards (Note: immediate replacement of these items are not required; however, districts will replace or update scoreboards or other durable equipment when existing contracts are up for renewal or to the extent that is financially possible over time so that items are in compliance with the marketing policy.)
- Corporate brand, logo, name or trademark on cups used for beverage dispensing, menu boards, coolers, trash cans and other food service equipment; as well as on posters, book covers, pupil assignment books or school supplies displayed, distributed, offered or sold by the District.
- Advertisements in school publications or school mailings.
- Free product samples, taste tests or coupons of a product, or free samples displaying advertising of a product.

As the District/school nutrition services/Athletics Department/PTA/PTO reviews existing contracts and considers new contracts, equipment and product purchasing (and replacement) decisions should reflect the applicable marketing guidelines established by the District wellness policy.

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IV. Physical Activity

Children and adolescents should participate in at least 60 minutes of physical activity every day. A substantial percentage of students' physical activity can be provided through a comprehensive school physical activity program (CSPAP). A CSPAP reflects strong coordination and synergy across all of the components: quality physical education as the foundation; physical activity during and after school; staff involvement and family and community engagement and the district is committed to providing these opportunities. Schools will ensure that these varied physical activity opportunities are in addition to, and not as a substitute for, physical education (addressed in "Physical Education" subsection). All schools in the district will be encouraged to participate in *Let's Move! Active Schools* (www.letsmoveschools.org) in order to successfully address all CSPAP areas.

Physical activity during the school day (including but not limited to recess, classroom physical activity breaks or physical education) will not be withheld as punishment for any reason [*This does not include participation on sports teams that have specific academic requirements*]. The district will provide teachers and other school staff with a list of ideas for alternative ways to discipline students.

To the extent practicable, the District will ensure that its grounds and facilities are safe and that equipment is available to students to be active. The District will conduct necessary inspections and repairs.

Physical Education

The District will provide students with physical education, using an age-appropriate, sequential physical education curriculum consistent with national and state standards for physical education. The physical education curriculum will promote the benefits of a physically active lifestyle and will help students develop skills to engage in lifelong healthy habits, as well as incorporate essential health education concepts (discussed in the "*Essential Physical Activity Topics in Health Education*" subsection). The curriculum will support the essential components of physical education.

All students will be provided equal opportunity to participate in physical education classes. The District will make appropriate accommodations to allow for equitable participation for all students and will adapt physical education classes and equipment as necessary.

All District elementary students in each grade will receive physical education for at least 70 minutes per week throughout the school year.

Buchanan K-1 Center - Students will receive physical education 2 days a week for 35 minutes each day.

Madison 2-3 Center - Students will receive physical education 2 days a week for 35 minutes each day.

Washington 4-5 Center - Students will receive physical education 2 days a week for 35 minutes each day.

All Huron Public School District secondary students (middle and high school) are required to take the equivalent of one academic year of physical education.

Middle School-Students will receive 24 weeks of physical education for 40 minutes each day.

High School - Students will receive 18 weeks of physical education for 40 minutes each day.

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Examples of Physical Activity Topics in Health Education

- The physical, psychological, or social benefits of physical activity
- How physical activity can contribute to a healthy weight
- How physical activity can contribute to the academic learning process
- How an inactive lifestyle contributes to chronic disease
- Health-related fitness, that is, cardiovascular endurance, muscular endurance, muscular strength, flexibility, and body composition
- Differences between physical activity, exercise and fitness
- Phases of an exercise session, that is, warm up, workout and cool down
- Overcoming barriers to physical activity
- Decreasing sedentary activities, such as TV watching
- Opportunities for physical activity in the community
- Preventing injury during physical activity
- Weather-related safety, for example, avoiding heat stroke, hypothermia and sunburn while being physically active
- How much physical activity is enough, that is, determining frequency, intensity, time and type of physical activity
- Developing an individualized physical activity and fitness plan
- Monitoring progress toward reaching goals in an individualized physical activity plan
- Dangers of using performance-enhancing drugs, such as steroids
- Social influences on physical activity, including media, family, peers and culture
- How to find valid information or services related to physical activity and fitness
- How to influence, support, or advocate for others to engage in physical activity
- How to resist peer pressure that discourages physical activity.

V. Other Activities that Promote Student Wellness

The District encourages integration of wellness activities across the entire school setting, not just in the cafeteria, other food and beverage venues and physical activity facilities. The District encourages coordination and integration of other initiatives related to physical activity, physical education, nutrition and other wellness components so all efforts are complementary, not duplicative, and work towards the same set of goals and objectives promoting student well-being, optimal development and strong educational outcomes.

Schools in the District are encouraged to coordinate content across curricular areas that promote student health, such as teaching nutrition concepts in mathematics, with consultation provided by either the school or the District's curriculum experts.

All efforts related to obtaining federal, state or association recognition for efforts, or grants/funding opportunities for healthy school environments will be coordinated with and complementary of the wellness policy, including but not limited to ensuring the involvement of the local wellness committee. All school-sponsored events will adhere to the wellness policy guidelines. All school-sponsored wellness events will include physical activity and healthy eating opportunities when appropriate.

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Glossary:

Extended School Day – the time during, before and after school that includes activities such as clubs, intramural sports, band and choir practice, drama rehearsals and more.

School Campus - areas that are owned or leased by the school and used at any time for school-related activities, including on the outside of the school building, school buses or other vehicles used to transport students, athletic fields and stadiums (e.g., on scoreboards, coolers, cups, and water bottles), or parking lots.

School Day – the time between midnight the night before to 30 minutes after the end of the instructional day.

Triennial – recurring every three years.

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Glossary:

Extended School Day – the time during, before and after school that includes activities such as clubs, intramural sports, band and choir practice, drama rehearsals and more.

School Campus - areas that are owned or leased by the school and used at any time for school-related activities, including on the outside of the school building, school buses or other vehicles used to transport students, athletic fields and stadiums (e.g., on scoreboards, coolers, cups, and water bottles), or parking lots.

School Day – the time between midnight the night before to 30 minutes after the end of the instructional day.

Triennial – recurring every three years.

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Appendix A:

School Level Contacts

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Kelly Christopherson, Business Manager	Kelly.Christopherson@k12.sd.us
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Kari Hinker, ESL Director	Kari.Hinker@k12.sd.us
Roger Ahlers, Technology Director	Roger.Ahlers@k12.sd.us
Terry Rotert, Activities Director	Terry.Rotert@k12.sd.us
Rex Sawvell, Buildings and Grounds Director	Rex.Sawvell@k12.sd.us
Carol Tompkins, Nutrition Director	Carol.Tompkins@k12.sd.us

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030P

Drug-Free Workplace

It is the policy of the Board of Education to provide a drug-free workplace and to work toward a drug-free society. It is the goal of the district to prevent the illicit use of controlled substances and alcohol.

The unlawful manufacture, or the distribution, dispensing, use, possession, or being under the influence of controlled substances and/or alcohol by any employee during the work day, at any school activity, or while in the performance of his/her employment by the district wherever located, is absolutely prohibited. Violation of this rule by any employee will constitute insubordination and will be cause for disciplinary action up to and including termination of employment and referral for prosecution. In appropriate circumstances, disciplinary action may include completion of an approved rehabilitation program at the employee's expense; however, any applicable insurance benefits will be applied.

For purposes of this policy, controlled substances include, but are not limited to, narcotics, drugs, hallucinogenic, or mind-altering drugs or substance, amphetamines, barbiturates, stimulants, depressants, marijuana, anabolic steroids, and any other controlled substance as defined in law, or any prescription medicine, or other chemical substances not taken in accordance with a medical provider's prescription. This definition also includes substances presented to be any such controlled substance or which an employee believes to be such a substance.



Drug Use By Employees

61

It is the policy of the Board of Education to provide a drug-free workplace and to work toward a drug-free society. It is the goal of the district to prevent the illicit use of controlled substances and alcohol.

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For purposes of this policy, controlled substances include, but are not limited to, narcotics, drugs, hallucinogenic, or mind-altering drugs or substance, amphetamines, barbiturates, stimulants, depressants, marijuana, anabolic steroids, synthetic drugs, bath salts, and any other controlled substance as defined in law, or any prescription medicine, or other chemical substances not taken in accordance with a medical provider's prescription. This definition also includes substances presented to be any such controlled substance or which an employee believes to be such a substance.



Drug Use by Students

PHILOSOPHY

The Huron public school district #2-2 recognizes that chemical abuse/dependency is a concern that needs to be addressed by the school and the community. Chemical dependency problems often interfere with school behavior, student learning, and the fullest possible development of each student.

The use or possession of alcoholic beverages or any controlled substance, by any student on any school property or while attending any school related function is prohibited. No student shall be intoxicated, use, sell, distribute, buy, receive, be under the influence of, or in the possession of a controlled substance. Students who use prescription drugs authorized by a licensed medical provider, do not violate this policy if the students conform to the prescription requirements and appropriate school policies.

For purposes of this policy, controlled substances include, but are not limited to, narcotics, drugs, hallucinogenic, or mind-altering drugs or substance, amphetamines, barbiturates, stimulants, depressants, marijuana, anabolic steroids, synthetic drugs, bath salts, and any other controlled substance as defined in law, or any prescription medicine, or other chemical substances not taken in accordance with a medical provider's prescription. This definition also includes substances presented to be any such controlled substance or which an employee believes to be such a substance.

The Huron public school district is committed to the development and the implementation of programs and policies which contribute to the well being of students through prevention, intervention, after-care, and staff development. The major components of our approach to chemical abuse are defined as follows:

1. **Prevention**
An educational process that promotes the development of a healthy self-attitude and provides individuals with information and interactions needed to make responsible decisions regarding chemical use.
2. **Intervention**
An established process in which caring persons confront an individual with data regarding his/her chemically-related behaviors in an effort to encourage that individual to seek appropriate corrective measures.
3. **After-care**
Information on community support systems, individual counseling through school counselors as deemed necessary by the student, parents, administration, and chemical health facility.
4. **Staff Development**
A process through which individuals acquire the knowledge and skills required to constructively respond to the problems of chemical abuse.

A biennial review of this policy will be conducted to insure that current and effective measures are being taken to meet the needs of the students.




ACC

Tobacco Use Prohibited

The Board of Education recognizes that the use of tobacco poses a serious threat to the health and well-being of the District's students and employees. Tobacco products are in direct conflict with the District's goal of comprehensive health education. The policy stipulations below apply to all individuals regardless of age, and regardless of whether they may legally use the products.

1. The use of tobacco products shall be forbidden on all school properties and in all school vehicles.
2. The use of tobacco products in the Huron Arena when the Huron Arena is utilized by the city of Huron as a public convention hall shall be determined by the City of Huron.

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	Huron School District #2-2	Code: ACD
	Policies and Regulations	Alcohol Consumption or Usage on School Premises at Public Functions

**ALCOHOL CONSUMPTION OR USAGE
ON SCHOOL PREMISES AT PUBLIC FUNCTIONS**

The Huron public school system and the city of Huron have entered into an intergovernmental agreement wherein the district agrees to provide to the city from time to time as the school determines appropriate, the Huron Arena, for use by the city as a public convention hall. During the times in which the Huron Arena is utilized as a public convention hall, the person or entity authorized by the city and school to use the arena may acquire and use a temporary on-sale liquor license for use at the convention hall, pursuant to SDCL 35-1-5.3, SDCL 35-4-14.2 and/or SDCL 1-24-3. Use of the facility at such dates and times will be determined at the sole discretion of the school district.

Notes - We don't currently have this policy.

EDUCATIONAL PHILOSOPHY

In today's society, education is a continuous process of learning, not only for the present but for the future. Therefore, the Board will provide an educational environment that promotes and enhances learning as a life-long endeavor. In addition, the Board believes that education is not just the development and refinement of mental capacity but a process that assists the students in meeting their physical, social, aesthetic, and emotional requirements.

The Board will strive to provide stimulation and assistance so that each child develops in accordance to his or her individual abilities, interests and potential. The responsibility of the school, therefore, is to help guide the individual in the many and varied educational experiences so that a child can develop into a wholesome, happy and productive human being.

The Board recognizes the importance of the home as an influence upon the child and believes that a sympathetic, cooperative attitude between the teacher and the parent or guardian is necessary in the development of a student's integrated personality.

The total staff of the school system constitutes an inestimable and lasting force in the development of the student. The teacher is the most significant influence in the school and must, therefore, possess and demonstrate dedication, enthusiasm and sensitivity. It is primarily the teacher's responsibility to provide the learning environment in the school that fosters maximum student growth and reflects individual differences.

It is further realized that mutual rapport among the home, student, staff, administration, School Board and total community is necessary to implement this policy.

Notes - Recommend Adding ASBSD Sample Policy



Relations with Parents

The Board believes that the education of children is a joint responsibility, one it shares with the parents of the school community. To insure that the best interests of the child are served in this process, a strong program of communication between home and school must be maintained.

The Board feels that it is the parents who have the ultimate responsibility for their children's in-school behavior, including the behavior of pupils who have reached the legal age of majority, but are still for all practical purposes, under parental authority. During school hours, the Board through its designated administrators acts in loco parentis or in place of the parents.

SCHOOL DISTRICT RESPONSIBILITY

The Board directs that the following activities be implemented to encourage parent-school cooperation:

1. Parent-teacher conferences to permit two-way communication between home and school;
2. Open houses in district schools to provide parents with the opportunity to see the school facilities, meet the faculty, and sample the program on a first-hand basis;
3. Each school in the district shall hold at least one open house per year;
4. Meetings of parents and staff members to explain and discuss matters of general interest with regard to child-school, child-home, or child-home-school relationships;
5. Meetings of staff members and groups of parents of those students having special abilities, disabilities, needs, or problems; and,
6. Special events of a cultural, ethnic, or topical nature, which are initiated by parent groups, involve the cooperative effort of students and parents, and are of general interest to the schools or community.

IT/GUARDIAN RESONSIBILITY

For the benefit of children, the Board believes that parents have a responsibility to encourage their career in school by:

1. Supporting the school in requiring that children observe all school rules and regulations, and by accepting their own responsibility for children's willful in-school behavior;
2. Sending children to school with proper attention to their health, personal cleanliness and dress;
3. Maintaining an active interest in the student's daily work and making it possible for the student to complete assigned homework through providing a quiet place and suitable conditions for study;
4. Reading all communications from the school, and signing and returning them promptly when required;
5. Cooperating with the school in attending conferences set up for the exchange of information on the child's progress in school; and,
6. Participating in in-school activities and special functions.

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PARENT/GUARDIAN RESPONSIBILITY

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2. Sending children to school with proper attention to their health, personal cleanliness and dress;
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6. Participating in in-school activities and special functions.

Notes - Recommend Changing Code to ABAC



PARENT INVOLVEMENT

The Board of Education recognizes that a child's education is a responsibility shared by the school and family during the entire period the child spends in school. To support the goals of the school district to educate all students effectively, the schools and parents must work as knowledgeable partners.

Although parents are diverse in culture, language, and needs, they share the school's commitment to the educational success of their children. School districts and schools, in collaboration with the parents, shall establish and develop programs and practices that enhance parent involvement and reflect the specific needs of students and families.

- To this end, the Board will support the development, implementation and regular evaluation of a parent involvement program, which will involve parents at all grade levels in a variety of roles. The parent involvement program will be comprehensive and coordinated in nature and will include, but not be limited to, the following:
 - Support to parents as leaders and decision-makers in advisory roles.
 - Promotion of clear two-way communication between the school and the family as to school programs and children's progress.
 - Assistance to parents and/or guardians to develop parenting skills to foster positive relationships at home that support children's efforts and provide techniques designed to assist their children with learning at home.
- 1. Involvement of parents, with appropriate training, in instructional and support roles at the school.
- 2. Provision of access to and coordination of community and support services for children and families.

These forms of involvement are not mutually exclusive and require a coordinated school-wide effort.

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These forms of involvement are not mutually exclusive and require a coordinated school wide effort.

Notes - Recommend Changing Code to ABAB and Adopting ASBSD Sample Policy.

	Huron School District #2-2	Code:
	Policies and Regulations	ADC Community Involvement in Decisionmaking

Community Involvement in Decisionmaking

The Board recognizes the importance of community involvement regarding the program and the operations of the public schools. By working together, the quality of the educational program for students can only improve.

To foster mutual respect and confidence between the public, parents, and the Board, an atmosphere of openness and honesty will prevail. The Board will encourage interested groups and representatives to express ideas, concerns, and judgments about the schools to the school administration, to staff-appointed advisory bodies, and to the Board. It will be the Board's responsibility via the superintendent to provide the public and parents with accurate and complete information on the schools and the Board's activities.

The advice of the public and parents will be given careful consideration. In the evaluation of such contributions, the first concern will be for the educational program as it affects all students.

Open public forums will be conducted as needed.

CITIZENS' ADVISORY COMMITTEES

The Board recognizes that one of the best methods to maintain good communications and to establish sound public relations is by utilizing citizens' advisory committees.

These committees will be appointed when needed for a specific time and purpose, and will be under the supervisory control of the superintendent, who will report to the Board on its membership, function, progress and final report.

COMMUNITY AND PARENT INVOLVEMENT IN DECISION MAKING

The Board recognizes the importance of community involvement regarding the program and the operations of the public schools. By working together, the quality of the educational program for students can only improve.

To foster mutual respect and confidence between the public, parents, and the Board, an atmosphere of openness and honesty will prevail. The Board will encourage interested groups and representatives to express ideas, concerns, and judgments about the schools to the school administration, to staff-appointed advisory bodies, and to the Board. It will be the Board's responsibility via the superintendent to provide the public and parents with accurate and complete information on the schools and the Board's activities.

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Notes - Recommend Changing Code to ABA.

	Huron School District #2-2	Code:
	Policies and Regulations	ADD Involvement of Parents/Families in the Schools

INVOLVEMENT OF PARENTS/FAMILIES IN THE SCHOOLS

The Board of Education believes that the primary responsibility of education begins in the home and is shared by the student, family, school, and community. To support the school's goal of providing the opportunity and incentive to challenge each student to develop to the best of his/her ability, schools and families must work together in a cooperative manner.


Although families are diverse in culture, language, and needs, they share the school's commitment to the educational success of their children. The district's schools, in collaboration with parents, shall establish programs and practices that enhance parental involvement and reflect the specific needs of students and their families.

The Board supports the utilization of an active parent involvement program in each school. The program will include, but not be limited to, the following components of successful involvement programs:

- Communication between home and school is regular, two-way, and meaningful.
- Responsible parenting is promoted and supported.
- Parents play an important role in assisting student learning.
- Parents are welcome in school, and their support and assistance are sought.
- Parents are full partners in the decisions that affect children and families.
- Community resources are made available to strengthen school programs, family practices, and student learning.

The Board supports professional development opportunities for staff members to enhance understanding of effective parent involvement strategies. The district administrators will be responsible for providing leadership, setting expectations, and creating a climate conducive to parental participation. The Board supports the development, implementation, and evaluation of programs that involve parents in the decisions and practices of the school district.

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	Huron School District #2-2	Code:
	Policies and Regulations	ADE District-Wide Title I Parental Involvement Policy

District-Wide Title I Parental Involvement Policy

NOTE: In support of strengthening student academic achievement, each local educational agency (LEA or school district) that receives Title I, Part A funds must develop jointly with, agree on with, and distribute to, parents of participating children a written parental involvement policy that contains information required by Section 1118(a)(2) of the Elementary and Secondary Education Act (ESEA) (district-wide parental involvement policy). The policy establishes the LEA's expectations for parental involvement and describes how the LEA will implement a number of specific parental involvement activities, and is incorporated into the LEA's plan submitted to the State Educational Agency (SEA).

The Huron School District agrees to implement the following statutory requirements:

- 1) The school district will put into operation programs, activities, and procedures for the involvement of parents in all of its schools with Title I, Part A programs, consistent with Section 1118 of the Elementary and Secondary Education Act (ESEA). Those programs, activities, and procedures will be planned and operated with meaningful consultation with parents of participating children.
- 2) Consistent with Section 1118, the school district will work with its schools to ensure that the required school-level parental involvement policies meet the requirements of Section 1118(b) of the ESEA, and each include, as a component, a school-parent compact consistent with Section 1118(d) of the ESEA.
- 3) The Huron School District will take the following actions to involve parents in the joint development of its district-wide parental involvement plan under Section 1112 of the ESEA:

 Parent representatives will be invited on an annual basis to participate in the district's development of the consolidated plan that is submitted to the South Dakota Department of Education.
- 4) The Huron School District will take the following actions to involve parents in the process of school review and improvement under Section 1116 of the ESEA:


 Each year parents will be invited to participate in meaningful discussions to review and provide input for suggestions they might have related to revisions/improvement to the district's parent involvement policy and their individual building level parent involvement policy as well as school-parent compacts.
- 5) The Huron School District will provide the following necessary coordination, technical assistance, and other support to assist Title I, Part A schools in planning and implementing effective parental involvement activities to improve student academic achievement and school performance:

DISTRICT-WIDE TITLE I PARENTAL INVOLVEMENT POLICY

NOTE: In support of strengthening student academic achievement, each local educational agency (LEA or school district) that receives Title I, Part A funds must develop jointly with, agree on with, and distribute to, parents of participating children a written parental involvement policy that contains information required by Section 1118(a)(2) of the Elementary and Secondary Education Act (ESEA) (district-wide parental involvement policy). The policy establishes the LEA's expectations for parental involvement and describes how the LEA will implement a number of specific parental involvement activities, and is incorporated into the LEA's plan submitted to the State Educational Agency (SEA).

The Huron School District agrees to implement the following statutory requirements:

1. The school district will put into operation programs, activities, and procedures for the involvement of parents in all of its schools with Title I, Part A programs, consistent with Section 1118 of the Elementary and Secondary Education Act (ESEA). Those programs, activities, and procedures will be planned and operated with meaningful consultation with parents of participating children.
2. Consistent with Section 1118, the school district will work with its schools to ensure that the required school-level parental involvement policies meet the requirements of Section 1118(b) of the ESEA, and each include, as a component, a school-parent compact consistent with Section 1118(d) of the ESEA.
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4. The Huron School District will take the following actions to involve parents in the process of school review and improvement under Section 1116 of the ESEA: Each year parents will be invited to participate in meaningful discussions to review and provide input for suggestions they

	Huron School District #2-2	Code:
	Policies and Regulations	ADE District-Wide Title I Parental Involvement Policy

DISTRICT-WIDE TITLE I PARENTAL INVOLVEMENT POLICY

Each year a district-wide Title I advisory meeting will be held for parents to participate in discussion related to district and building-level goals related for parental involvement activities to enhance academic achievement and school performance.

- 6) The Huron School District will coordinate and integrate parental involvement strategies in Part A with parental involvement strategies under the following other programs:
 - a. Parents with children supported by Title I, Part A funds will be invited to participate in training provided by their child's individual Title I school, Head Start, Even Start, and Birth to Three to integrate strategies between and within each of these programs.

- 7) The Huron School District will take the following actions to conduct, with the involvement of parents, an annual evaluation of the content and effectiveness of this parental involvement policy in improving the quality of its Title I, Part A schools. The evaluation will include identifying barriers to greater participation by parents in parental involvement activities (with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background). The district will use the finding of the evaluation about its parental involvement policy and activities to design strategies for more effective parental involvement, and to revise, if necessary, (and with the involvement of parents) its parental involvement policies:
 - a. Each spring parents will be invited by school district/building-level personnel to participate in an advisory meeting to review the district parental involvement policy as well as their building level parent involvement policy and parent-teacher compacts. Input from the parents and other members of the community will then be used in revising/improving parental involvement throughout the district and individual buildings.

- 8) The Huron School District will build the schools' and parents' capacity for strong parental involvement, in order to ensure effective involvement of parents and to support a partnership among the school involved, parents, and the community to improve student academic achievement, through the following activities specifically described below.
 - a. The Huron School District will, with the assistance of its Title I, Part A schools, provide assistance to parents of children served by the school district or school, as appropriate, in understanding topics such as the following, by undertaking the actions described in this paragraph—

might have related to revisions/improvement to the district's parent involvement policy and their individual building level parent involvement policy as well as school-parent compacts.

5. The Huron School District will provide the following necessary coordination, technical assistance, and other support to assist Title I, Part A schools in planning and implementing effective parental involvement activities to improve student academic achievement and school performance:

Each year a district-wide Title I advisory meeting will be held for parents to participate in discussion related to district and building-level goals related for parental involvement activities to enhance academic achievement and school performance.

6. The Huron School District will coordinate and integrate parental involvement strategies in Part A with parental involvement strategies under the following other programs:
 - a. Parents with children supported by Title I, Part A funds will be invited to participate in training provided by their child's individual Title I school, Head Start, Even Start, and Birth to Three to integrate strategies between and within each of these programs.
7. The Huron School District will take the following actions to conduct, with the involvement of parents, an annual evaluation of the content and effectiveness of this parental involvement policy in improving the quality of its Title I, Part A schools. The evaluation will include identifying barriers to greater participation by parents in parental involvement activities (with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background). The district will use the finding of the evaluation about its parental involvement policy and activities to design strategies for more effective parental involvement, and to revise, if necessary, (and with the involvement of parents) its parental involvement policies:
 - a. Each spring parents will be invited by school district/building-level

**District-Wide Title I Parental Involvement Policy**

- the State's academic content standards,
- the state's student academic achievement standards, the state and local academic assessments including alternate assessments,
- the requirements of Part A,
- how to monitor their child's progress, and
- how to work with educators

Small group meetings and conferences will be held throughout the school year as well as home visits. Printed material will also be used as a vehicle to help parents better understand the state's content standards, state and local assessments, and how to monitor their own children's progress (e.g., Parent Portal) and suggestions on how to communicate with school personnel.

- b. The Huron School District will, with the assistance of its schools, provide materials and training to help parents work with their children to improve their children's academic achievement, such as literacy training, and using technology, as appropriate, to foster parental involvement by:

The holding of parental involvement activities at least quarterly in the Title I buildings will provide parents with resources and training in how to improve their own children's achievement in the areas of literacy, math skills, use of technology, etc. The district will provide support to the building personnel in identifying resources (e.g., presenters, trainers, topics) to meet their individual building needs.

- c. The Huron School District will, with the assistance of its schools and parents, educate its teachers, pupil services personnel, principal and other staff, in how to reach out to, communicate with, and work with parents as equal partners, in the value and utility of contributions of parents, and in how to implement and coordinate parent programs and build ties between parents and schools by:

All new teachers in the district will be provided with an initial training on how to communicate successfully with parents in a meaningful and helpful manner. Also, all staff members will be provided opportunities on an annual basis to update their skills in the same manner.

- d. The Huron School District will, to the extent feasible and appropriate, coordinate and integrate parental involvement programs and activities with Head Start, Reading First, Early Reading First, Even Start, Home Instruction Programs for Preschool Youngsters, the Parents as Teachers Program, and public preschool and other programs, and conduct other activities, such as parent resource centers, that encourage and support

personnel to participate in an advisory meeting to review the district parental involvement policy as well as their building level parent involvement policy and parent-teacher compacts. Input from the parents and other members of the community will then be used in revising/improving parental involvement throughout the district and individual buildings.


8. The Huron School District will build the schools' and parents' capacity for strong parental involvement, in order to ensure effective involvement of parents and to support a partnership among the school involved, parents, and the community to improve student academic achievement, through the following activities specifically described below.

a. The Huron School District will, with the assistance of its Title I, Part A schools, provide assistance to parents of children served by the school district or school, as appropriate, in understanding topics such as the following, by undertaking the actions described in this paragraph—

- the State's academic content standards,
- the state's student academic achievement standards, the state and local academic assessments including alternate assessments,
- the requirements of Part A,
- how to monitor their child's progress, and
- how to work with educators

Small group meetings and conferences will be held throughout the school year as well as home visits. Printed material will also be used as a vehicle to help parents better understand the state's content standards, state and local assessments, and how to monitor their own children's progress (e.g., Parent Portal) and suggestions on how to communicate with school personnel.

b. The Huron School District will, with the assistance of its schools, provide materials and training to help parents work with their children to improve their children's academic achievement, such as literacy training, and using technology, as appropriate, to foster parental involvement by:

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District-Wide Title I Parental Involvement Policy

parents in more fully participating in the education of their children, by:

A district-wide Title I parent advisory meeting will be held each year to help facilitate the sharing of opportunities for future trainings and activities provided by the various resources (e.g., Head Start, Even Start, Birth to Three, Community Counseling Services, etc.) within the community, as well as, accessing Parent Connection and the parent resource center that is provided at the state level.

- e. The Huron School District will take the following actions to ensure that information related to the school and parent programs, meetings, and other activities, is sent to the parents of participating children in an understandable and uniform format, including alternative formats upon request, and, to the extent practicable, in a language the parents can understand:

Every effort will be made to provide information about school and community activities, meetings, etc. in understandable (e.g., first language translations) format minus "educationese." This will include interpreters for the deaf and hard-of-hearing, as well as second language needs.

The holding of parental involvement activities at least quarterly in the Title I buildings will provide parents with resources and training in how to improve their own children's achievement in the areas of literacy, math skills, use of technology, etc. The district will provide support to the building personnel in identifying resources (e.g., presenters, trainers, topics) to meet their individual building needs.

- c. The Huron School District will, with the assistance of its schools and parents, educate its teachers, pupil services personnel, principal and other staff, in how to reach out to, communicate with, and work with parents as equal partners, in the value and utility of contributions of parents, and in how to implement and coordinate parent programs and build ties between parents and schools by:

All new teachers in the district will be provided with an initial training on how to communicate successfully with parents in a meaningful and helpful manner. Also, all staff members will be provided opportunities on an annual basis to update their skills in the same manner.

- d. The Huron School District will, to the extent feasible and appropriate, coordinate and integrate parental involvement programs and activities with Head Start, Reading First, Early Reading First, Even Start, Home Instruction Programs for Preschool Youngsters, the Parents as Teachers Program, and public preschool and other programs, and conduct other activities, such as parent resource centers, that encourage and support parents in more fully participating in the education of their children, by:

A district-wide Title I parent advisory meeting will be held each year to help facilitate the sharing of opportunities for future trainings and activities provided by the various resources (e.g., Head Start, Even Start, Birth to Three, Community Counseling Services, etc.) within the community, as well as, accessing Parent Connection and the parent resource center that is provided at the state level.

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an understandable and uniform format, including alternative formats upon request, and, to the extent practicable, in a language the parents can understand:

Every effort will be made to provide information about school and community activities, meetings, etc. in understandable (e.g., first language translations) format minus "educationese." This will include interpreters for the deaf and hard-of-hearing, as well as second language needs.

Notes - Recommend Changing Code to ABAA.



Contested Hearings

The Board may be required to assume a judicial role to ensure adherence to district policy. All contested matters will be heard in a fair and impartial manner, and the Board will resolve all disputes. All contested hearings shall adhere to the procedures outlined in this policy.

HEARING

- Hearings involving personnel and students are closed to the public.
- Requests for hearings to be conducted in open session will be considered by the Board.
- A verbatim record of the hearing will be made.
- Closed hearing records will be sealed pending a determination of the Board.

CONDUCT OF THE HEARINGS

- The Board shall appoint a school Board member or a person who is not an employee of the school district as the hearing officer.
- Each party may be represented by an attorney.
- Each party may make an opening statement.
- The complainant/petitioner shall present its case first.

WITNESSES

- All witnesses must take an oath or affirmation of truth.
- Witnesses may be present only when testifying.
- Each party may present, examine and cross-examine witnesses.
- The hearing officer may ask questions of witnesses and may allow other school Board members to question witnesses.

EVIDENCE

- Each party may introduce evidence.
- All relevant evidence must be admitted.
- Unproductive or repetitious evidence may be limited by the hearing officer.
- Each party may raise objections. The basis for the objection must be stated.
- Each party may make a closing statement.

DELIBERATION

- After the hearing, the school Board shall continue to meet in executive session for deliberation.
- No one other than the hearing officer may meet with the school Board during deliberation.
- The school Board may seek advice during deliberation from its legal counsel.
- Consultation with any other person during deliberation may occur only if representatives of the parties are present.

CONTESTED HEARINGS

The Board may be required to assume a judicial role to ensure adherence to district policy. All contested matters will be heard in a fair and impartial manner, and the Board will resolve all disputes. All contested hearings shall adhere to the procedures outlined in this policy.

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- Each party may raise objections. The basis for the objection must be stated.
- Each party may make a closing statement.

DELIBERATION



DECISION

- The decision of the Board must be based solely on the evidence presented at the hearing and must be formalized by a motion made in open meeting.
- For closed hearings, the motion must omit the names of the parties.
- The Board shall notify the parties in writing of its decision.

- After the hearing, the school Board shall continue to meet in executive session for deliberation.
- No one other than the hearing officer may meet with the school Board during deliberation.
- The school Board may seek advice during deliberation from its legal counsel.
- Consultation with any other person during deliberation may occur only if representatives of the parties are present.

DECISION

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- For closed hearings, the motion must omit the names of the parties.
- The Board shall notify the parties in writing of its decision.

Notes - Recommend Changing Code to AGA.



Federal Programs

The Huron School District assures its patrons that it will follow all State and Federal regulations in compliance with federal programs utilized in the school district. Questions or concerns about compliance with federal programs may be directed to our Director of Federal Programs at 150-5th Street SW or by calling 605-353-8660.

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Complaint Policy for Federal Programs

A parent, student, employee, or district stakeholder who has a complaint regarding the use of federal NCLB funds and is unable to solve the issue, may address the complaint in writing to the District's superintendent.

Disputes addressing the enrollment, transportation (including inter-district disputes), and other barriers to the education of children and youth experiencing homelessness are also addressed under this procedure. Parents, guardians, and unaccompanied youth may initiate the dispute resolution process directly at the school they choose, as well as at the District or District's homeless liaison's office. The parent or guardian or unaccompanied youth shall be provided with a written explanation of the school's decision including the rights of the parent, guardian, or youth to appeal the decision. Students should be provided with all services for which they are eligible while disputes are resolved.

- The Superintendent will investigate, within one week, the circumstances of the complaint and render a decision, within two weeks, after receipt of the complaint.
- The Superintendent will notify the complainant of the decision in writing.
- The complainant will be allowed one week to react to the decision before it becomes final.
- The complainant will either accept or disagree with the decision and will provide such acknowledgment in writing, addressed to the District's Superintendent.
- If the issue is not resolved with the Superintendent, the complaint will be forwarded to the District's Board of Education for further review. The parent or guardian or unaccompanied youth shall be provided with a written explanation of the District's decision including the rights of the parent, guardian, or youth to appeal the decision.
- Unresolved complaints may be forwarded by the stakeholder to the South Dakota Department of Education for review. (Consult SD Department of Education Complaint Procedure)

NONDISCRIMINATION IN FEDERAL PROGRAMS

The District will not violate any of the provisions of applicable federal programs, statutes or regulations, including but not limited to Title IX, ESEA/Title I, Rehabilitation Act Section 504, Title II (Americans with Disabilities Act), ESSA, and McKinney-Vento Act (homeless children). The District will not discriminate in any of its policies and programs on the basis of age, race, color, creed, national origin, ancestry, religion, sex or disability.

The District will provide the following:

1. an adequate, reliable, and impartial investigation of complaints, including the opportunity for the complainant and alleged perpetrator to present witnesses and provide evidence;
2. evaluation of all relevant information and documentation relating to a complaint of discrimination;
3. specific, reasonably prompt time frames at each stage of the grievance process;
4. written notice to all parties within a specified timeframe of the outcome or disposition of the grievance at each stage of the process;
5. an opportunity to appeal the findings or remedy, or both;
6. an assurance that the District will take steps to prevent recurrence of any discrimination and correct discriminatory effects on others; and
7. language in the policies and grievance procedures indicating that any attempts to informally or voluntarily resolve the complaint or grievance should not delay the commencement of the District's investigation.

In compliance with applicable federal laws and regulations, the Board has appointed the Superintendent as the District's Compliance Officer to coordinate program compliance with federal programs. The Superintendent can be reached at:

Terry D. Nebelsick EdS.
Supt - Huron School District
150 5th St SW, Huron, SD 57350
W - 605-353-6990 C-605-354-0050

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A complaint may also be filed with the United States Office for Civil Rights, U.S. Department of Education at: 1010 Walnut Street, Suite 320, Kansas City, Missouri 64106; Telephone: (816) 268-0550; Facsimile: (816)268-0599; Telecommunication Device for the Deaf: (877) 521.2172; E-mail: OCR.KansasCity@ed.gov.

COMPLAINT PROCEDURE

The Board has adopted a specific procedure to ensure that parental/student/public complaints related to the provisions of applicable federal programs, statutes or regulations, including claims of retaliation. The Board will not discriminate, in any of its policies and programs, on the basis of age, race, color, creed, national origin, ancestry, religion, sex or disability.

The purpose of this complaint procedure is to outline a procedure for addressing parental/student/public complaints about federal program compliance and/or discrimination. Complaints against school employees and complaints related to sexual harassment, bullying, and instructional and library materials are addressed through other School District policies and not through this policy.

For the purposes of this policy, a "complaint" is a perceived or alleged violation of federal programs, statutes or regulations (e.g., Title IX, ESEA/Title I, Rehabilitation Act Section 504, Title II (Americans with Disabilities Act), ESSA, McKinney-Vento Act (homeless children), etc.) and/or discrimination in a policy and/or program on the basis of age, race, color, creed, national origin, ancestry, religion, sex or disability.

To protect the confidentiality of all concerned, it is imperative that any school employee in receipt of a complaint treat the complaint as confidential and that the complaint not be reproduced in any form, nor disclosed or discussed with any person other than those identified as proper recipients of the complaint (i.e., the principal, superintendent, school board).

When a federal program compliance complaint or discrimination/harassment complaint based on race, color, national origin, age or sex (excluding sexual harassment complaints) is brought directly to an individual board member or the entire Board, the board member or entire Board may listen to the person's complaint but shall take no action unless there has been compliance with this Policy. The person bringing the complaint will be directed to the procedure as set forth below. The following procedure is designed to ensure the proper balance in

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protecting the rights of the person(s) bringing the complaint and the rights of the employee against whom the complaint is made. It is only when the person having the complaint and the employee involved cannot resolve the problem, and the complaint cannot be resolved at the administrative level, will the Board and board members become involved.

Should it be determined that discrimination or harassment occurred based on race, color, national origin, age or sex, the District will take steps to prevent recurrence of any discrimination or harassment and to correct its discriminatory effects on others, if appropriate.

STEP 1: Initial Complaint

- A. The person having the complaint related to federal program compliance or discrimination/harassment complaint based on race, color, national origin, age or sex (excluding sexual harassment complaints), the person must initiate the complaint procedure in one of the following ways:
- meet and discuss the concern with the Employee involved; OR
 - meet and discuss the concern with the Employee's Principal.
1. If the Complainant met with the Employee and the complaint was not resolved, the Complainant must meet and discuss the complaint with the Employee's Principal within ten (10) calendar days of the meeting with the Employee. The Principal shall complete a Complaint Form, Exhibit AC-E (1). The Complainant shall sign and date the Complaint Form verifying the accuracy of its content.
 2. If the Complainant initiates the complaint by meeting with the Principal, the Principal shall complete a Complaint Form, Exhibit AC-E (1). The Complainant shall sign and date the Complaint Form verifying the accuracy of its contents.
- B. Upon the Complaint Form being signed and dated by the Complainant, the Principal shall give a copy of the complaint to the District's Compliance Officer (Superintendent). The Principal shall also give a copy of the complaint to the Employee and schedule an informal meeting with only the Complainant, Employee and Principal present. At the meeting, the Principal shall attempt to facilitate discussion between the Complainant and Employee by seeking clarification of the issue(s) and seeking a resolution to the

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complaint. However, attempts to informally or voluntarily resolve the complaint should not delay the commencement of the District's investigation. Should a resolution be obtained, the resolution shall be noted on the Complaint Form. Should a resolution not be obtained, the Complainant and/or the Employee may request a decision by the Principal on the merits of the complaint by making the request on the Complaint Form.

- C. If the Principal is asked to make a decision on the merits of the complaint, the Principal has the authority to investigate the complaint beyond the information received from the Complainant and Employee during the meeting with the Complainant, Employee and Principal. During the Principal's investigation the complainant and alleged perpetrator shall both have the opportunity, at separate times, to present witnesses and provide evidence to the Principal. The Principal shall evaluate all relevant information and documentation related to the complaint of discrimination or harassment and shall render a decision in writing within fourteen (14) calendar days of the request for a decision on the merits of the complaint. The time frame for rendering a decision by the Principal may be extended by the Principal for good cause and upon written notification to the Complainant and Employee. The notification shall identify the reason for the extension and the date on or before which the decision shall be rendered. The Complainant and the Employee shall receive written notification of the Principal's determination/resolution.
- D. The Principal's decision may be appealed by the Complainant or Employee to the Superintendent within (10) ten calendar days of receipt of the Principal's written decision pursuant to Step 2. If the Principal does not render a written decision within the required time frame (14 days unless extended) the Complainant or Employee may appeal to the Superintendent pursuant to Step 2.

Should the complaint be against a Principal, the Superintendent shall address the complaint through the procedure set forth in Step 1. An appeal by the Complainant pursuant to Step 1D may be filed with the School Board pursuant to Step 3.

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Should the complaint be against the Superintendent (or the Principal who also is the Superintendent) the Complaint Form, Exhibit AC-E(1), shall be given to the Business Manager. The Business Manager shall give the Complaint Form to the School Board President or Chairperson. At the next School Board meeting, the School Board will designate a person who is not an Employee of the District to address the complaint through the procedure set forth in Step 1. An appeal by the Complainant pursuant to Step 1D may be filed with the School Board pursuant to Step 3.

STEP 2: Appeal to the Superintendent

The following procedure shall be used to address an appeal of the Principal's decision made in Step 1, or if the Principal failed to render a decision in the required time frame:

- A. The appeal shall be in writing using Exhibit AC-E(2). The appealing party must attach the complaint and the Principal's written decision, if a decision was rendered.
- B. Upon receipt of an appeal, the Superintendent will provide a copy of the appeal to the other party. Within five (5) calendar days, the other party may submit a written response to the appeal. The Superintendent shall provide a copy of the response to the appealing party.
- C. In the Superintendent's sole discretion, the Superintendent may (a) meet and discuss the matter with the Complainant and Employee, (b) meet and discuss the matter with the Complainant, Employee and Principal, or (c) meet and discuss the matter with the Principal.
- D. Within fourteen (14) calendar days from the date the appeal was filed with the Superintendent, the Superintendent shall render a decision in writing. The time frame for rendering a decision by the Superintendent may be extended by the Superintendent for good cause and upon written notification to the Complainant and Employee; the notification shall identify the reason for the extension and the date on or before which the decision shall be rendered. The Complainant, Employee and Principal shall receive copies of the decision. The Superintendent may uphold, reverse or modify the Principal's decision. The Superintendent may also refer the matter back to the Principal for further investigation. The Principal may uphold, modify or reverse his or her initial decision. After a matter has been referred back to the Principal, and the Principal rendered a second decision, that decision may also be appealed to the Superintendent.

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- E. The Superintendent's decision may be appealed by the Complainant to the School Board within (10) ten calendar days of receipt of the Superintendent's written decision pursuant to Step 3. If the Superintendent does not render a written decision within the required time frame (14 calendar days unless extended) the Complainant may appeal to the School Board pursuant to Step 3.
- F. If the Employee believes the Superintendent's decision constitutes a violation, misinterpretation or inequitable application of School Board policy or collective bargaining agreement applicable to the Employee, the Employee may file a grievance pursuant to the applicable grievance policy. A grievance filed pursuant to this provision shall be initiated at the Superintendent level.

STEP 3: Complainant's Appeal to the School Board

The following procedure shall be used to address an appeal of the Superintendent's decision made in Step 2, or if the Superintendent failed to render a decision in the required time frame:

- A. An appeal to the School Board shall be in writing using Exhibit AC-E(3). The Complainant must attach the complaint, the Principal's written decision if a decision was rendered, the appeal to the Superintendent, the response to the appeal if any, and the Superintendent's decision if one was rendered.
- B. The appeal must be filed with the President/Chairperson of the School Board or Business Manager within ten (10) calendar days of Complainant's receipt of the Superintendent's written decision, or within ten (10) days of the deadline for the Superintendent's written decision, whichever comes first.
- C. Upon receipt by the Board President/Chairperson of an appeal by the Complainant, a copy of the appeal shall be given to the Employee involved.
- D. Upon receipt of an appeal to the School Board, the School Board shall schedule a date, time and location for the appeal hearing.
- E. The following procedure shall be applicable at the appeal hearing before the School Board:
 - 1. The School Board shall appoint a school board member or a person who is not an employee of the school district as the Hearing Officer.
 - 2. Within thirty (30) calendar days of an appeal being filed with the School Board, the School Board shall conduct a hearing in executive session.

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3. The Complainant, Employee and Superintendent each have the right to be represented at the hearing.
4. The School Board shall make a verbatim record of the hearing by means of an electronic device or a court reporter. This record and any exhibits must be sealed and must remain with the Hearing Officer until the appeal process has been completed.
5. The issue on appeal is whether the Superintendent's decision should be upheld, reversed or modified by the School Board; in the absence of a decision by the Superintendent, the School Board will make a decision on the merits of the complaint.
6. All parties shall be given the opportunity to make an opening statement, with the Complainant being given the first opportunity, followed by the Employee and then the Superintendent.
7. The Complainant shall present his or her case first, and the Employee shall then present his or her case. Both parties shall have the opportunity to ask questions of the other's witnesses. The Hearing Officer and school board members may ask questions of any witness.
8. After the Complainant and the Employee have presented their respective cases, the Superintendent shall then present the basis of his/her decision which led to the appeal, if a decision was rendered. The Complainant and Employee shall have the opportunity to ask the Superintendent questions. The Hearing Officer and board members may also ask questions of the Superintendent.
9. Unless a witness is a party to the appeal, witnesses may be present only when testifying unless the Hearing Officer rules otherwise. All witnesses must take an oath or affirmation administered by the School Board President/ Chairperson, Hearing Officer or other person authorized by law to take oaths and affirmations.
10. The Hearing Officer shall admit all relevant evidence. The Hearing Officer may limit unproductive or repetitious evidence. The strict rules of evidence do not apply. *Moran v. Rapid City Area School Dist.*, 281 N.W.2d 595, 602 (S.D. 1979) ("This [school board hearing related to teacher contract nonrenewal] does not mandate nor necessitate the use of strict evidentiary rules.").
11. Both parties shall be given the opportunity to make a closing statement, with the Complainant having the first opportunity, followed by the Employee, and then the Superintendent. The Complainant shall be given the opportunity for a brief rebuttal.

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12. After the evidentiary hearing, the School Board shall continue to meet in executive session for deliberations. No one other than the Hearing Officer may meet with the Board during deliberations. During deliberations, the Board may seek advice from an attorney who did not represent any of the parties in the hearing. Consultation with any other person during deliberation may occur only if a representative of the Complainant, Employee and Superintendent are present. The Board may, in its sole discretion, continue the proceedings and make a final decision on the appeal at a later date.
13. Within twenty (20) calendar days of the hearing, the School Board shall render its decision and issue its written Findings of Fact, Conclusions of Law and Decision. The time frame for rendering a decision may be extended by the Board President for good cause and upon written notification to the Complainant, Employee and Superintendent. The notification shall identify the reason for the extension and the date on or before which the decision shall be rendered.
14. The decision of the School Board must be based solely on the evidence presented at the hearing and must be formalized by a motion made in open meeting. The Board will reconvene in open session. The Board may uphold, reverse, or modify the Superintendent's decision, or render a decision on the merits of the complaint in the absence of a Superintendent's decision. Findings of Fact, Conclusions of Law and Decision, consistent with the Board motion, shall be in writing and approved by the Board. The Complainant, Employee, Principal and Superintendent will receive copies after the Findings of Fact, Conclusions of Law and Decision are approved by the School Board.
15. If the Complainant is dissatisfied with the School Board's decision, the Complainant may appeal the decision by filing an appeal to the circuit court pursuant to SDCL Ch. 13-46.

Notes - Recommend Adding ASBSD Sample Policy

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Was a meeting held between the person having the complaint and the employee?
Yes _____ No _____

If a meeting was held, when was it held, what happened at the meeting and what was the outcome of the meeting: _____

If a meeting was not held, explain why not: _____

Resolution requested/sought by complainant: _____

Date Complainant

Date School Official Completing the Report Form

Step 1 mutually agreeable resolution was reached:
Yes _____ No _____

If resolution, manner in which the complaint was resolved:

Complainant (initial/date) _____ Employee (initial/date) _____

If no mutually agreed upon resolution was reached, I request a decision by the Principal on the merits of the complaint:

Yes _____ No _____ Complainant (initial _____) Date _____

Yes _____ No _____ Employee (initial _____) Date _____

Date School Employee Completing the Sexual Harassment Report Form

Date Person Reporting the Sexual Harassment

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