

| | |
|---------------------------------|------------------|
| Oelrichs School District | SECTION G |
| Policy Manual | |

PERSONNEL

| | |
|-------|---|
| GBA | Equal Opportunity Employment |
| GBB | Employment Status Defined |
| GBC | Staff Ethics |
| GBCA | Conflict of Interest |
| GBCB | Staff Conduct |
| GBEC | Drug and Alcohol Free Workplace |
| GBI | Public Solicitations in the Schools |
| GBK | Use of Tobacco Products on School Premises |
| GBL | Personnel Records |
| GBM-R | Grievance Procedure for Support Staff and Administrators |
| GBM-E | Grievance Report Form |
| GCDB | Criminal Background Investigation |
| GCN | Evaluation of Instructional Staff and Administrators |
| GCN-C | Principal Evaluation, Pre-Observation, Evaluation of Certified Personnel and Evaluation of Other Teaching Specialist, Post-Observation Pre-Conference |
| GCQAB | Tutoring for Pay |
| GDA | Support Staff Employment and Benefits |
| GDE | Substitute/Temporary Support Staff Employment |

| | |
|---------------------------------|-------------------|
| Oelrichs School District | Policy GBA |
| Policy Manual | |

EQUAL OPPORTUNITY EMPLOYMENT

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

Legal References: Civil Rights Act of 1964, as amended in 1972, Title VI;
Title VII Executive Order 11246, 1965, as amended by Executive Order 11375;
Equal Employment Opportunity Act of 1972; Title VII Education Amendments of 1972;
Title IX (P.L. 92-318) 45 CFR, Parts 81, 86 (Federal Register June 4, 1975, August 11, 1975); Rehabilitation Act of 1973;
Americans With Disabilities Act, July 26, 1990;
SDCL §13-43-17 through 13-43-25

Adopted/Reviewed/Revised:

| | |
|---------------------------------|-------------------|
| Oelrichs School District | Policy GBB |
| Policy Manual | |

EMPLOYMENT STATUS DEFINED

As provided in this Policy Manual, the following definitions apply:

1. “Staff” includes all Support Staff members, Instructional Staff and Administrators.
2. Administrator means Superintendent of Schools, building principals, assistant principals, directors and other individuals who administer buildings or programs for the District.
3. “Instructional Staff” means any teacher employed by Oelrichs School District.
4. “Support Staff” means any employee of Oelrichs School District that is not a teacher or an Administrator. Support Staff includes: secretarial staff, teacher aides, custodians, maintenance workers, bus drivers and cafeteria workers.

Approved/Reviewed/Revised:

| | |
|---------------------------------|-------------------|
| Oelrichs School District | Policy GBC |
| Policy Manual | |

STAFF ETHICS

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

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

Legal References: SDCL §13-43-25; ARSD 24:08:03:01 – 24:08:03:03

Adopted/Reviewed/Revised:

| | |
|---------------------------------|--------------------|
| Oelrichs School District | Policy GBCA |
| Policy Manual | |

CONFLICT OF INTEREST

- I. Board members and Staff will not engage in, or have a financial interest in, any activity that raises a reasonable question of conflict of interest with their duties and responsibilities as members of the school staff. This means that employees and Board members will not participate for financial remuneration in outside activities wherein their school-related position is used inappropriately to sell goods or services to pupils or their parents.
- II. In order that there be no conflict of interest in the supervision and evaluation of Staff, at no time may any administrator directly responsible for the supervision and/or evaluation of any employee be directly related to him or her.
- III. Directly related is defined as father, mother, sister, brother, spouse, son, daughter, or daughter, son, sister, or brother-in-law. When the potential for conflict of interest arises after initial employment, a transfer may be effected at a subsequent date if it is deemed to be in the best interest of the school district.

Adopted/Reviewed/Revised:

| | |
|---------------------------------|--------------------|
| Oelrichs School District | Policy GBCB |
| Policy Manual | |

STAFF CONDUCT

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

In the area of personal conduct, the Board expects that Staff will conduct themselves in a manner that not only reflects credit to the School District, but also sets forth a model worthy of emulation by students.

Staff members will be expected to carry out their assigned responsibilities with conscientious concern.

Essential to the success of ongoing school operations and the instructional program are the following specific responsibilities, which will be required of all Staff:

1. Faithfulness and promptness in attendance at work;
2. Support and enforcement of policies of the Board and regulations of the school administration in regard to students;
3. Diligence in submitting required reports promptly at the times specified;
4. Care and protection of school property.
5. Concern for and attention to their own and the School District's legal responsibility for the safety and welfare of students, including the need to ensure that students are under supervision at all times.

Legal References: SDCL §§13-8-44; 13-43-28.

Adopted/Reviewed/Revised:

| | |
|---------------------------------|--|
| Oelrichs School District | Policy GBEC (Page 1 of 2) |
| Policy Manual | |

DRUG AND ALCOHOL FREE WORKPLACE

- A. The District will provide a drug-free workplace in accordance with the Drug-Free Workplace Act of 1988 and the 1989 amendments to the Drug Free Schools and Communities Act of 1986 and their implementing regulations. This policy is intended to comply with all applicable Federal regulations governing workplace drug and alcohol abuse and misuse.
- B. Staff under the influence of alcohol and/or other drugs are a serious risk to themselves, to students and to other employees. It is the policy of Oelrichs School District to assure employees of the District are fit for duty and to protect students and the public from the risks posed by the use of alcohol and prohibited drugs by employees in safety-sensitive positions. The Board hereby commits itself to a continuing good faith effort to maintain a drug-free environment by implementing the following:
1. Prohibited Use of Drugs and/or Alcohol. The use, possession, sale or transfer of illegal drugs or alcoholic beverages on school property, in school district vehicles or while engaged in school activities is strictly forbidden. Being under the influence of drugs or alcohol while engaged in school activities, while on school property, or while in school district vehicles is also prohibited.
 2. Alcoholism, Drug Abuse and Emotional Disorders. Staff who have an alcohol and/or other drug abuse problem or suffer from emotional problems are encouraged to seek professional assistance. Upon request, a Staff member shall be provided a listing of the regional treatment facilities or agencies to assist him/her in their choice of a service provider. While treatment costs are the responsibility of the Staff member, the use of earned sick leave is to be granted for necessary treatment.
 3. Disclosure of Criminal Drug Violations: All Staff shall notify the Superintendent of any convictions and/or the pendency of alleged criminal drug violations no later than five (5) days after such conviction or filing of such charges.
 4. Violation. Any Staff member who violates this policy will be subject to disciplinary action, which may include dismissal, referral for prosecution, and/or satisfactory participation in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement or other appropriate agency. "Satisfactory" shall mean, participate in such a manner that all sessions are attended by the individual, and the individual presents to the district a signed statement of completion by the assistance or rehabilitation program director.
 5. Drug and Alcohol Testing. Drug and alcohol tests will be administered to Staff under the following conditions:

| | |
|---------------------------------|--------------------------------------|
| Oelrichs School District | Policy GBEC (Page 2 of 2) |
| Policy Manual | |

- i. There is reasonable suspicion that the Staff member is using or is under the influence of a drug or alcohol;
 - ii. After an accident or occurrence that results in an injury on the job as defined by the Occupational Safety and Health Administration; or
 - iii. After any vehicular accident when it appears that the Staff member might reasonably have avoided the accident or minimized the consequences, but did not do so.
- 6. Failure to Submit to Drug or Alcohol Testing. A Staff member who refuses to submit to drug and/or alcohol testing will be subject to disciplinary action, including termination.
- 7. Drug or Alcohol Testing Procedure: In the event a drug or alcohol test is requested under section 5, the following conditions apply:
 - i. The principal or immediate supervisor shall meet with the Staff member and discuss the reasons for the requested test.
 - ii. A memorandum of the meeting shall be prepared by the principal or supervisor documenting the nature of the request and the reasons therefore.
 - iii. The memorandum shall be placed in a sealed and confidential envelope and placed in the Staff member's personnel file, and may only be opened as required in any disciplinary action.
 - iv. After three (3) years any documentation may be removed upon request of the Superintendent.
 - v. No leave shall be deducted for the time required to obtain testing if the test results are negative. If testing is positive, leave will be deducted for the time required to obtain testing.
- 8. Policy Disclosure. All Staff will be given a copy of this policy and shall abide by the District's policy of maintaining a drug-free workplace.

Legal Reference: Drug-Free Workplace Act of 1988 (P.L. 100-690)
 21 U.S.C. 802
 21 CFR 1308
 1989 Amendments to the Drug Free Schools and Communities Act of 1986

Adopted/Reviewed/Revised:

| | |
|---------------------------------|-------------------|
| Oelrichs School District | Policy GBI |
| Policy Manual | |

PUBLIC SOLICITATIONS IN THE SCHOOLS

Students and faculty of the Schools are to be protected from intrusions on their time by announcements, posters, bulletins and communications of any kind from individuals and organizations not directly connected with the schools.

Materials distributed via the schools to students by non-school connected organizations must not contain advertising which is beneficial to any particular group or business.

The administration of surveys, questionnaires and requests for information by non-school connected organizations will be generally disallowed.

In all cases, the above policies will be executed at the Superintendent's discretion. When any group or organization is not satisfied with the judgment of the Superintendent as exercised under this policy, it may appeal to the Board of Education in writing.

Adopted/Reviewed/Revised:

| | |
|---------------------------------|-------------------|
| Oelrichs School District | Policy GBK |
| Policy Manual | |

USE OF TOBACCO PRODUCTS ON SCHOOL PREMISES

- I. The Oelrichs Board of Education prohibits the use of all tobacco products in all of its buildings and vehicles or on premises with the following exception:
 - A. Use of tobacco may be permitted by staff members and other adults in an outdoor area designated by the Superintendent and out of the students' view.

Legal References: SDCL §22-36-2

Resource: NSBA (1987). No Smoking: a Board Member's Guide to Nonsmoking Policies for the Schools. 1680 Duke Street, Alexandria, VA 22314

Adopted/Reviewed/Revised:

| | |
|---------------------------------|-------------------|
| Oelrichs School District | Policy GBL |
| Policy Manual | |

PERSONNEL RECORDS

- I. It is the intent of the Board to maintain complete and current personnel files for all Staff. There shall be one personnel file for each employee of the district.
- II. The file of an individual Staff member will be considered confidential information and will be available only to authorized administrative personnel and to the employee.
- III. Every Staff member, upon request, will have the right during regular working hours to inspect their personnel file with the exception of college or university confidential credentials.
- IV. Information of a derogatory nature, except as it may appear in college confidential credentials, will not be entered or filed in the employee's personnel folder until the employee is given an opportunity to review the information being entered. The Staff member will have the right to submit in writing, a reply to the statement, which will be included in the Staff member's folder.

Legal References: SDCL §60-4-12; (presumption of good faith disclosure of employment information to prospective employers); ARSD 24:43:09:03

Adopted/Reviewed/Revised:

| | |
|---------------------------------|---|
| Oelrichs School District | Policy GBM-R (Page 1 of 4) |
| Policy Manual | |

GRIEVANCE PROCEDURE FOR SUPPORT STAFF AND ADMINISTRATORS

Support Staff and Administrators alleging a violation of an Oelrichs' School District policy must follow the following grievance procedure.

1. Definitions

- A. The term "grievance" as used in this policy shall mean a complaint by a Support Staff member or administrator employed by the District, that there has been a violation, misinterpretation or inequitable application of an Oelrichs School District Policy. Negotiations for, or a disagreement over, a non-existing agreement, contract, policy, rule or regulation shall not be considered a grievance.
- B. The term "aggrieved person" includes any Staff member or group of Staff members of the District, excluding Instructional Staff.
- C. The term "Board" shall mean the Board of Education of the School District.

2. Purpose

- A. The purpose of this procedure is to secure, at the appropriate administrative level, equitable solutions to the problems which may, from time to time. The proceedings shall be kept informal and confidential as may be appropriate at any level of this procedure.

3. Procedures

A. Informal Procedure

The aggrieved person must first discuss the grievance with the aggrieved person's principal or immediate supervisor with the objective of resolving the matter informally. The aggrieved person must notify the supervisor that the meeting is the Informal Level of a Grievance Procedure in *writing* at or before the meeting. The aggrieved person must utilize the Informal Level of the Grievance AND file the Level One Formal Procedure within twenty-five (25) calendar days after the aggrieved person knew, or should have known, of the act or condition on which the grievance is based, or the grievance will be null and void.

| | |
|---------------------------------|---|
| Oelrichs School District | Policy GBM-R (Page 2 of 4) |
| Policy Manual | |

B. Formal Procedure:

Level One: Principal or other Supervisor

If an aggrieved person is not satisfied with the disposition of the Informal Procedure, the aggrieved person must submit the Level 1 Grievance Report Form (GBM-E) to the building principal or the aggrieved person's direct supervisor within twenty-five (25) calendar days after the aggrieved person knew, or should have known, of the act or condition on which the grievance is based, or the grievance will be null and void. The principal/supervisor shall hold the Level 1 meeting with the aggrieved person within ten (10) calendar days upon receipt of the Grievance Report Form (GBM-E). A decision will be rendered within ten (10) calendar days of the Level 1 meeting. If the principal/supervisor fails to provide a written decision within ten (10) calendar days, then the aggrieved person may proceed to file at Level 2 grievance. Failure of the aggrieved person to comply with the time requirements as provided will render the Level 1 grievance null and void.

Level Two: Superintendent of School

If an aggrieved person is not satisfied with the disposition of the Level 1 grievance, the aggrieved person must submit the Level 2 Grievance Report Form (GBM-E) to the Superintendent or the Superintendent's designee within ten (10) calendar days after the grievance decision has been rendered at Level 1. If requested by the aggrieved person, the Association may file the grievance on behalf of the aggrieved person within the time limits set above. The Superintendent or designee shall meet with the aggrieved person in an effort to resolve the grievance. The Level 2 meeting shall take place within ten (10) calendar days upon the receipt of the Level 2 Grievance Report Form (GBM-E). A decision will be rendered within ten (10) calendar days of the Level 2 meeting. If the Superintendent fails to provide a written decision within ten (10) calendar days, the aggrieved person may proceed to file a Level 3 grievance. Failure of the aggrieved person to comply with the time requirements as provided will render the Level 2 grievance null and void.

Level Three: Board of Education

If an aggrieved person is not satisfied with the disposition of the Level 2 grievance, the aggrieved person must submit the Level 3 Grievance Report Form (GBM-E) to the President of the Board of Education within ten (10) calendar days after the grievance decision has been rendered at Level 2. The Board of Education will hold a hearing on the grievance within thirty (30) calendar days upon receipt of the Level 3 Grievance Report Form (GBM-E). At the hearing before the Board, the aggrieved person and the administrative representatives may call witnesses and

| | |
|---------------------------------|---|
| Oelrichs School District | Policy GBM-R (Page 3 of 4) |
| Policy Manual | |

present evidence that is relevant to the matter being considered. The Board may also call other witnesses for questioning. A decision will be rendered within ten (10) calendar days of the hearing and will be provided to the aggrieved party and the Association. Failure of the aggrieved person to comply with the time requirements as provided will render the Level 3 grievance null and void.

Level Four: Department of Labor

If an aggrieved person is not satisfied with the disposition of the Level 3 grievance, the aggrieved person may within thirty (30) calendar days initiate an appeal to the Department of Labor, which shall conduct an investigation and hearing and shall issue an order covering the issues raised. The order shall be binding on the aggrieved person and the District in accordance with the provisions of SDCL §3-18-15.2. The investigation and hearing held by the Department shall be conducted in accordance with the rules and regulations of the Department.

It is specifically and expressly understood and agreed that an appeal to the Department of Labor constitutes an election of remedies and a waiver of any and all rights of the appealing party or parties and his or her representative(s) to litigate or otherwise contest the appealed subject matter in any court under SDCL §13-46, except in the form of an appeal from the decision of the Department of Labor as provided in SDCL §1-26.

C. Miscellaneous

1. The aggrieved party, the District and the Association shall utilize the grievance forms found in Oelrichs School District Policy Grievance Report Form (GBM-E). Any party may attach documents to the grievance forms as needed. A supply of grievance forms shall be on file with the business office and the Superintendent.
2. All documents, communications, and records dealing with the processing of a grievance shall be filed separately from the personnel files of any participants.
3. The District shall make available to the aggrieved person and the aggrieved person's representative all pertinent information, not privileged under law, in its possession or control that is relevant to the issues raised in the grievance.
4. Any aggrieved person may be represented at the levels of formal procedure set forth above, by a representative.

| | |
|---------------------------------|---|
| Oelrichs School District | Policy GBM-R (Page 4 of 4) |
| Policy Manual | |

5. If a grievance affects a group of persons, such grievance may be submitted in writing directly to the Superintendent's office, and the processing of such grievance may be commenced at Level 2.
6. No reprisals shall be taken by the Board or the administration against any employee because of the employee's participation in a grievance under this procedure.
7. A grievance may be withdrawn or settled at any time.
8. Aggrieved persons who voluntarily terminate their employment will have their grievances immediately withdrawn and will not benefit from any later settlement of an individual or group grievance unless the remedy sought is monetary in nature.
9. The time limits specified in this provision may be changed by mutual agreement, provided the time change is requested within the time limits set forth in this procedure.

Adopted/Reviewed/Revised:

| | |
|---------------------------------|---------------------------------------|
| Oelrichs School District | Policy GBM-E (Page 1 of 3) |
| Policy Manual | |

GRIEVANCE REPORT FORM

REQUEST FOR SETTLEMENT OF GRIEVANCE LEVEL ONE FORM

Date of presentation to Principal:

Name of Aggrieved Person:

Home Address:

School:

Principal:

Nature of Grievance including provision of policy alleged to have been violated:

Settlement Requested:

Has the grievance been processed at the Informal Level? _____

Date of informal discussion: _____

Signature _____ Aggrieved Person

**Attach any relevant documentation and written notice provided to your supervisor regarding the Informal Procedure.*

REPLY TO LEVEL ONE GRIEVANCE

Date reply sent to Aggrieved Person:

Name of Aggrieved Person:

Home Address:

School:

Date of presentation of grievance to Principal:

Decision of Principal:

Signature _____ Principal

| | |
|---------------------------------|---------------------------------------|
| Oelrichs School District | Policy GBM-E (Page 2 of 3) |
| Policy Manual | |

REQUEST FOR SETTLEMENT OF GRIEVANCE LEVEL TWO FORM

Date of presentation to Superintendent:

Name of Aggrieved Person:

Home Address:

School:

Date of Reply to Level One grievance:

State reason for submission of grievance to Level Two:

Settlement requested:

Signature _____ Aggrieved Person

**Copies of Level One Request for Settlement of Grievance and Reply must be attached.*

REPLY TO LEVEL TWO GRIEVANCE

Date Reply sent to Aggrieved Person:

Name of Aggrieved Person:

Home Address:

School:

Date of submission of Grievance to Superintendent:

Decision of Superintendent:

Signature _____ Superintendent

| | |
|---------------------------------|---|
| Oelrichs School District | Policy GBM-E (Page 3 of 3) |
| Policy Manual | |

REQUEST FOR SETTLEMENT OF GRIEVANCE LEVEL THREE FORM

Date of submission to President of the School Board:

Name of Aggrieved Person:

Home Address:

School:

Date of Reply of Superintendent to LEVEL TWO Grievance:

State Reason for Submission of Grievance to Level Three:

Settlement Requested:

Signature _____ Aggrieved Person

**Copies of all previous grievance forms and replies must be attached.*

REPLY TO LEVEL THREE GRIEVANCE

Date Reply sent to Aggrieved Person:

Name of Aggrieved Person:

Home Address:

School:

Date of Submission of grievance to President of the School Board – Level Three:

Date of Hearing with School Board:

Decision of the School Board:

Signature _____ President, School Board

| | |
|---------------------------------|----------------------|
| Oelrichs School District | Policy GCDB |
| Policy Manual | (Page 1 of 2) |

CRIMINAL BACKGROUND INVESTIGATION

- I. The District requires that each individual identified in Section II below submit to a criminal background investigation.
 - A. A disqualifying record means any record resulting from a conviction of:
 1. violence as defined in SDCL §22-1-2(9),
 2. a sex offense as defined in SDCL §22-22-30, or
 3. trafficking in narcotics.
 - B. A disqualifying record may also include any conviction of any crime of moral turpitude as defined by SDCL §22-1-2(25) or criminal conviction not disclosed by applicant.
 - C. Criminal conviction or suspended imposition, where the probationary requirements for suspension remain unmet, may be considered in making an employment decision.
 - D. A disqualifying record shall not include any records that are sealed by order of the court or considered confidential under SDCL §26-A-27, or where an individual has been discharged pursuant to SDCL §23A-27-14.
 - E. A disqualifying record can be used by the district as set forth in subsections A, B, and C above in making an employment decision.
- II. Individuals affected by this party are as follows.
 - A. Applicants, in order to be recommended for hire by the district, shall first submit to a criminal background investigation by the Division of Criminal Investigation and the Federal Bureau of Investigation, *which* shall include but not be limited to fingerprint checks and being thereafter subject to the requirement set forth in Section I above. The investigation shall provide, if applicable, the development of a disqualifying record. The investigation shall be arranged through the district's Office of Human Resources.
 - B. Individual volunteers, and agency/organization volunteers/employees working in an unsupervised setting in the district shall first submit to a criminal background investigation by the Division of Criminal Investigation and the Federal Bureau of Investigation. Such criminal background investigation shall include, but not be limited to, fingerprint checks and being thereafter subject to the requirement set forth in Section I above. Any individual volunteer, or agency/organization volunteer/employee designated by the building principal as working with students in an unsupervised setting shall be subject to a criminal background investigation. When an investigation is determined necessary, the building principal shall contact the district's Office of Human Resources to arrange

| | |
|---------------------------------|--|
| Oelrichs School District | Policy GCDB (Page 2 of 2) |
| Policy Manual | |

the criminal background investigation. If the results of a background investigation do not clearly state the disposition of the criminal charge(s), the individual will be required to produce and submit any necessary official documentation to the Office of Human Resources for a final determination.

Legal Reference: SDCL §13-10-12 to 16
SDCL §22-1-2(9)
SDCL §22-22-30
SDCL §22-1-2(25)
SDCL §26-7A-27
SDCL §23A-27-14

Adopted/Reviewed/Revised:

| | |
|---------------------------------|-------------------|
| Oelrichs School District | Policy GCN |
| Policy Manual | |

EVALUATION OF INSTRUCTIONAL STAFF AND ADMINISTRATORS

In order to assure a high quality of instructional staff and administrator performance to advance the instructional programs of the District, a continuous program for instructional staff and administrator evaluation will be established by the Superintendent and regular reports will be made to the Board concerning the outcomes of these evaluations.

Instructional staff and administrators will be evaluated on an annual basis.

Evaluations should provide positive feedback to instructional staff and administrators. Strengths, as well as areas needing improvement will be noted.

The evaluation process will include:

1. An ongoing review of the techniques and procedures for making evaluations. New techniques and procedures that would contribute to the understanding of the instructional staff member's strengths and weaknesses should be used.
2. Goals and objectives that are understood and agreed upon by the instructional staff and the administration. The criteria should be built around the established education philosophy, goals, objectives and educational program developed and accepted by the district. Job specific criteria will be established for classroom teachers, school librarians and school counselors.
3. Application process will include self-evaluation, supervisor-initiated observations and instructional staff-initiated observations.

The evaluation process will include self-evaluation, supervisor-initiated observations and instructional staff-initiated observations.

The formal evaluations will be written and will be discussed by the evaluator and the instructional staff member or administrator. The discussions may either precede or follow the writing of the evaluation document. Copies of the written document will be signed and dated by both parties and incorporated into the personnel files of the instructional staff member or administrator. The signature of the instructional staff member or administrator does not indicate approval or disapproval of the evaluation, but that the evaluation has been read and discussed.

The written evaluation should be specific in terms of a person's strengths and weaknesses. Those areas where improvement is needed should be clearly set forth and recommendations for improvement should be made. Subsequent evaluations should address themselves to any improvement or to any continuing difficulty that is observed.

Adopted/Reviewed/Revised:

| | |
|---------------------------------|---|
| Oelrichs School District | Policy GCN-C (Page 1 of 5) |
| Policy Manual | |

PRINCIPAL EVALUATION

NAME _____ POSITION _____ DATE _____

Key: O - Outstanding, P - Proficient, RI - Requires Improvement, U – Unacceptable

| | EXPECTATIONS | | | |
|--|--------------|---|----|---|
| | O | P | RI | U |
| 1. Knowledge of Administrative Duties Comments _____ | — | — | — | — |
| 2. Planning, Organizing, and Decision Making Comments _____ | — | — | — | — |
| 3. Knowledge of Scheduling and Curriculum Comments _____ | — | — | — | — |
| 4. Staff Supervision and Evaluation Comments _____ | — | — | — | — |
| 5. Student Supervision Comments _____ | — | — | — | — |
| 6. Carries Out Board Policies Comments _____ | — | — | — | — |
| 7. Supervision of Activities Comments _____ | — | — | — | — |
| 8. Relationships with the Public Comments _____ | — | — | — | — |

Signed _____ Date _____ Principal
Signed _____ Date _____ Evaluator

The signing of this document does not imply agreement with the evaluation, merely that the Principal has read it and a conference with the evaluator has been held.

Comments _____

EMPLOYMENT RECOMMENDATIONS:

- _____ A. Recommended for continued employment.
- _____ B. Recommended for continued employment with qualifications.
- _____ C. Not recommended for continued employment.

| | |
|---------------------------------|---|
| Oelrichs School District | Policy GCN-C (Page 2 of 5) |
| Policy Manual | |

PRE-OBSERVATION

Instructional Staff member: _____ Date: _____

Subject: _____ Time: _____

From the Principal: I would like to observe your teaching process for evaluation. Please complete this form and return it to the principal at least one day before the pre-observation meeting along with the lesson you will be teaching.

- 1. Objective of the lesson:**
What do you expect the students will have learned by the end of the lesson?

***Is there anything special I should be aware of about the students or lessons before observing your lesson?**

- 2. Procedures for meeting Content Objectives:**
Are there any special activities you will use to accomplish your goal that I should be aware of?

- 3. Materials:**

- 4. Assessment:** Please indicate here what type of assessment will take place

*Formal Assessment

*Summative Assessment

- 5. Focus of the observation:**
My focus will be on classroom management, degree of preparation, presentation to students, and knowledge of subject matter. Do you want me to look for anything special in the lesson?

| | |
|---------------------------------|---------------------------------------|
| Oelrichs School District | Policy GCN-C (Page 3 of 5) |
| Policy Manual | |

**EVALUATION OF CERTIFIED PERSONNEL AND EVALUATION OF OTHER
TEACHING SPECIALIST**

*One copy of this form shall be kept on file for every evaluation period. Comments discussing the reasons for the ratings shall be given in writing. This is based on a formal evaluation(s).

Instructional Staff Member: _____ Date: _____

1. Classroom Management:

- A. Establishes and communicates expectations and rules
- B. Maintains appropriate records
- C. Maintains a neat, attractive, safe environment conducive for learning

Outstanding Satisfactory Needs Improvement Unsatisfactory

Comments:

2. Degree of Preparation:

- A. Maintains Lesson Plans and Demonstrates an understanding of learning strategies
- B. Recognizes, plans, and provides learning for unique needs of students
- C. Administers and uses Formative and Summative Assessments
- D. Utilizes a variety of different learning resources (Technology, Anchor Charts, Word Walls and other resources as appropriate)

Outstanding Satisfactory Needs Improvement Unsatisfactory

Comments:

| | |
|---------------------------------|---------------------------------------|
| Oelrichs School District | Policy GCN-C (Page 4 of 5) |
| Policy Manual | |

3. Instructional Skill and Technique:

- A. Utilizes different instructional approaches (Differentiated Instruction)
- B. Demonstrates the ability to use appropriate questioning techniques to elicit student responses (High Order Thinking Skill, Wait Time, Sequence of questions, and other questioning techniques)
- C. Demonstrates ability to form relationships (Recognizes each students emotional and social needs)

Outstanding Satisfactory Needs Improvement Unsatisfactory

Comments:

4. Knowledge of Subject Matter:

- A. Demonstrates in-depth understanding and proficiency of subject(s)
- B. Demonstrates ability to utilize different resources for achieving objectives
- C. Continues efforts toward professional improvement

Outstanding Satisfactory Needs Improvement Unsatisfactory

Comments:

5. Employment Recommendation: (To be checked if this is the final evaluation of contract period.)

- Recommended for continued employment
- Recommended for continued employment with qualification
- Not recommended for continued employment

If "Recommended for continued employment with qualification" is checked, evaluator must state what assistance for improving deficiencies will be provided. If "Not recommended for continued employment" is checked, evaluator must provide written notice in accordance to and compliance with all provisions of SDCL §13-43-9.1

Signed: _____ Date: _____ Position: _____

Signing shall not imply agreement by the evaluatee to the evaluation, but merely indicates that a conference was held and the above discussed.

Signed: _____ Date: _____ Position: _____ Evaluatee

| | |
|---------------------------------|---|
| Oelrichs School District | Policy GCN-C (Page 5 of 5) |
| Policy Manual | |

POST-OBSERVATION

Instructional Staff member: _____ Date: _____

Subject: _____ Time: _____

1. Do you feel you successfully achieved the lesson objective(s)? Why/why not? What data support your answer to the previous question?
2. What do you feel worked well and what would you refine if you were to teach this lesson again to the same class?
3. Based on student learning of your objectives, what are your next steps??
4. As you reflect over this observation cycle, what ideas or insights are you discovering about your teaching?
5. Based on the observation how can I help you grow as a professional or do you need some professional development in any area of your instructional practice?

Adopted/Reviewed/Revised:

| | |
|---------------------------------|---------------------|
| Oelrichs School District | Policy GCQAB |
| Policy Manual | |

TUTORING FOR PAY

Public school buildings may not be used for private teaching for which tuition charge is made, either by staff members employed by the District or by any other outside agency or person, without the express permission of the Superintendent.

Tutoring of students enrolled in one’s class for pay is prohibited.

Adopted/Reviewed/Revised:

| | |
|---------------------------------|----------------------|
| Oelrichs School District | Policy GDA |
| Policy Manual | (Page 1 of 8) |

SUPPORT STAFF EMPLOYMENT AND BENEFITS

A. Hiring

The District will employ Support Staff members in positions that function to support the education process. The Board will establish a budget for Support Staff positions in the District dependent on need. The Board will officially appoint all Support Staff members upon the Superintendent's recommendation; however, tentative appointments may be made by the Superintendent prior to Board action.

B. Probation

All new Support Staff members will serve a ninety (90) day probationary period. This will apply to former Support Staff members who are reemployed and to Support Staff members in new positions. At the end of the probationary period, the Support Staff member will be evaluated by his/her supervisor to determine whether the Support Staff should be placed on regular employment, be terminated or transferred.

C. Compensation

1. The Board will establish salary schedules for classifications of the Support Staff. The salary schedules will take into account the responsibilities of the position, the qualifications needed, past experience, and years of service in the District.
2. Annual pay increases will be dependent upon the Support Staff member's satisfactory performance in the position.
3. Advancement to a higher step will require Superintendent's recommendation and Board approval.
4. The hourly rate of pay for part-time and substitute personnel will be set by the Board.

D. Overtime

All work performed in excess of forty (40) hours per workweek shall be compensated in accordance with applicable law. Overtime shall not be paid twice for the same hours. There shall be no payment of overtime for hours not worked. Overtime will not be allowed without the prior written approval of the Superintendent.

| | |
|---------------------------------|-------------------------------------|
| Oelrichs School District | Policy GDA (Page 2 of 8) |
| Policy Manual | |

F. Worker's Compensation

1. Employees who are absent from work because of an injury or occupational disability arising out of and in the course of their employment and which is compensable under the Workers' Compensation Law shall be entitled to draw against their accumulated sick leave. Charges against accumulated sick leave shall be only for that portion in excess of the workers' compensation payment. Workers' compensation payments received for the days when regular wages are continued or when sick leave payments are made shall be returned to the District. Each Support Staff member will be responsible to report all payments received from Worker's Compensation to his/her Supervisor.
2. Upon the exhaustion of available leave, the District shall be free, in its sole discretion, to place absent employees on discretionary leave. In the event such action is taken, the District is free to declare the position formerly occupied by the employee vacant, and proceed to fill the position.

G. Health Insurance

1. Support Staff members who are regularly employed at least 800 hours during the school year will be entitled to membership in the District's health insurance program. The District will pay the insurance premium for the full year (12 months).
2. Support Staff members who are on an approved leave of absence shall continue to be eligible for membership in the District's approved group medical insurance program during the period of approved leave. However, the District will not contribute financially, on behalf of the employee, to the program. The Support Staff member will be responsible for full payment of the insurance premium during the period of approved leave.
3. Support Staff members who leave the District and have worked through a pay cycle will be covered through the month following termination. They will forfeit their eligibility for inclusion in the District's group medical insurance program on the last day of the month of termination. The District's financial contribution toward the employee's monthly premium shall cease on the same date the employee's eligibility for membership in the group plan is terminated.

H. Leaves and Absences

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

| | |
|---------------------------------|-------------------------------------|
| Oelrichs School District | Policy GDA (Page 3 of 8) |
| Policy Manual | |

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

I. Sick Leave

1. Each full-time Support Staff member will be granted 80 hours of sick leave on the first contract day of the year. A part-time Support Staff member will earn sick leave pro-rated to their hours of employment. Unused sick leave days may accumulate up to a total of 800 hours.
2. Support Staff members will not be eligible to use sick leave pay during their probationary period of ninety (90) days.
3. Proof of illness may be requested for absences of more than 8 hours or in the event there is a question as to the employee's ability to return to work.
4. Sick leave may be used for illness, injury or death in the immediate family. Immediate family is defined as mother, father, sister, brother, children, husband, wife, mother-in-law, father-in-law or a grandparent.
5. Absence due to pregnancy related disability shall be treated as any other disability and sick leave may be used as provided herein.
6. Upon resignation or retirement from employment a Support Staff member, after continuously working for the District for twelve (12) years, is entitled to be paid for any unused sick leave at a rate of \$25.00 per eight (8) hours, not to exceed 800 hours. No payment shall be made for a termination of employment based upon cause.

J. Sick Leave Bank

Employees may elect to participate in a voluntary sick leave bank. The voluntary sick leave bank will allow employees to use paid sick leave days beyond their own accumulated sick leave. Each newly hired support staff may contribute (1) day of his or her sick leave for their first three years of employment unless he or she chooses not to participate on or before the first Monday in September of the year. Support staff who are beyond their fourth year of employment will not have to contribute but will be eligible to participate if they have donated the previous 3 years. To participate in the sick leave bank, employees will need to complete and file a contribution form with the business manager on or before the deadline.

In the event the total number of days in the sick leave bank falls below one-hundred (100) days, each employee desiring to participate in the sick leave bank shall be required to contribute at least one (1) additional day of sick leave during each year of employment until the bank has accumulated a total of sixty (60) or more sick leave days. All employees desiring to participate in the sick leave bank shall be required to contribute one (1) day per year.

| | |
|---------------------------------|-------------------------------------|
| Oelrichs School District | Policy GDA (Page 4 of 8) |
| Policy Manual | |

A participating employee must use all of their personal and accumulated sick leave before borrowing any days from the sick leave bank. A participating employee may borrow five (5) times the number of days contributed to the sick leave bank; however, thirty (30) days shall be the maximum number of days any employee may use in one (1) school year, except as provided for in paragraph 6 of this Section 8.3. A participating employee may only draw from the sick leave bank for (i) his or her own personal illness or disability, or (ii) personal illness or disability for the employee's spouse and children. Employees who have used sick leave bank time will be given the option of contributing additional days each year thereafter to replenish the amount of sick leave available for them to withdraw, provided that an employee may not contribute a greater number of days than needed to replenish their available sick leave.

When an employee uses days from the sick leave bank and chooses to replace those days, they can be replaced according to the following schedule:

Number of Replenishing Days Needed for the Number of Days Withdrawn:

| | |
|---------|--------------|
| 1 day | 0 – 5 days |
| 2 days | 6 – 10 days |
| 3 days | 11 – 15 days |
| 4 days | 16 – 20 days |
| 5 days | 21 – 25 days |
| 6 days | 26 – 30 days |
| 7 days | 31 – 35 days |
| 8 days | 36 – 40 days |
| 9 days | 41 – 45 days |
| 10 days | 46 – 50 days |
| 11 days | 51 – 55 days |
| 12 days | 56 – 60 days |

A written application for borrowing from the sick leave bank must be presented to and shall be reviewed by the Sick Leave Bank Committee. The Sick Leave Bank Committee shall be comprised of three staff members.

The Sick Leave Bank Committee shall review each employee's application for sick leave bank days and make a recommendation to the Superintendent. In the event the employee disagrees with the decision of the Sick Leave Bank Committee the employee may petition the Superintendent to request additional sick leave, not to exceed an additional thirty (30) days. The Superintendent in his sole discretion may approve or reject the recommendation of the Sick Leave Bank Committee. The employee may appeal the decision of the Superintendent to the Board which shall have the final right to approve or reject the recommendation of the Superintendent. The Sick Leave Bank Committee may periodically review the status of any participating employee who has drawn from the sick leave bank.

| | |
|---------------------------------|----------------------|
| Oelrichs School District | Policy GDA |
| Policy Manual | (Page 5 of 8) |

The sick leave bank records shall be kept at the Administration Office.

K. Personal Leave

In addition to sick leave, four (4) days of personal leave will be granted to each full-time Support Staff member for personal business that cannot be conducted outside the school day. Part-time Support Staff members will earn personal leave prorated to their hours of employment. The Superintendent shall be given at least three (3) working days notice prior to the date or dates on which the Support Staff member wishes to use personal leave. Unused personal days will be rolled over into unused sick days each year.

L. Jury Duty

Support Staff who are subpoenaed to testify in court (in a case which they are not a party) or summoned to serve on a jury shall receive full pay from the District provided, however, that any stipend (not including mileage) received from such jury duty during a regular school day shall be given to the Business Office and deposited in the general fund. The employee must furnish the District with a certified statement from the court setting forth the dates of jury service and remuneration received therefore. When not engaged in actual jury service, the employee is expected to report to work to his/her assigned duties.

M. Family and Medical Leave

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

The Family and Medical Leave Act does not apply to District because we have less than 50 employees but Board has discretion to follow it if they so choose.

N. Paid Holidays

1. Full-time Support Staff members are entitled to nine (9) paid holidays, including:
 - a. July Fourth
 - b. Labor Day
 - c. Thanksgiving Day
 - d. Christmas Day
 - e. New Years Day

| | |
|---------------------------------|-------------------------------------|
| Oelrichs School District | Policy GDA (Page 6 of 8) |
| Policy Manual | |

- f. Memorial Day
 - g. Three (3) floating days to be approved by the Superintendent
2. Support Staff member shall receive his or her regular rate of pay for each holiday stated above on which no work is performed.
 3. Support Staff members are eligible for Holiday pay if the following conditions are met:
 - a. The Support Staff member must have completed his or her probationary period;
 - b. The Support Staff member must be employed full-time;
 - c. The Support Staff member must be in active employment when the holiday occurs, unless on sick leave;
 - d. Full-time Support Staff members shall be paid only for the holidays specified above which fall within the time period of employment.

O. Vacation

1. Support Staff members who regularly work twelve (12) calendar months a year will be entitled to the following accumulations of paid vacation:

| Years of continuous, full-time employment | Accumulation of paid vacation hours per year |
|--|---|
| After 1 year | 80 |
| 1 | 88 |
| 2 | 96 |
| 3 | 104 |
| 4 | 112 |
| 5-19 | 120 |
| 20+ | 160 |

2. A maximum of 160 hours of vacation can be carried over from year to year.
3. In the event of separation before July 1, vacation time will be computed at a monthly rate.
4. Are part time employees entitled to any vacation time?

Q. Assignments and Transfers

The Superintendent will make assignments and transfers of Support Staff members for the efficient operation of the District. An administrative transfer or reassignment will be made only after a conference between the employee and

| | |
|---------------------------------|-------------------------------------|
| Oelrichs School District | Policy GDA (Page 7 of 8) |
| Policy Manual | |

the Superintendent or respective supervisor, at which time the Support Staff will be notified of the reason for the transfer.

R. Development Opportunities

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

S. Reduction in Support Staff

The number of Support Staff may be reduced without regard to seniority, due to a change in program, a change in the size or nature of the student population, or budgetary considerations.

T. Employment at Will

All support Staff members are considered at-will employees under South Dakota law. The employment relationship between the Support Staff and the District may be terminated by either party at any time with or without prior notice.

U. Termination Appeal

Upon termination of a Support Staff member, the Support Staff member may appeal the decision to the Board. The Support Staff member must file a written appeal which provides the following information to the President of the School Board within ten (10) days from the date of the termination:

- Date of Termination
- Hire Date
- Position
- Reason for Termination
- Reason for Appeal

In the Board's discretion, the Board may elect to hold a hearing where the Support Staff member and administration can present evidence. The Board may choose to uphold or reverse the termination with or without a hearing.

V. Resignation

Any Support Staff member desiring to resign should make a request in writing to the Superintendent, two (2) weeks before the Support Staff member wishes their resignation to become effective. The Superintendent will present the resignation to the Board at the first meeting after the receipt of the resignation, and the Board will act upon the request of the Support Staff. Failure to provide the required two

| | |
|---------------------------------|-------------------------------------|
| Oelrichs School District | Policy GDA (Page 8 of 8) |
| Policy Manual | |

week notice may result in a loss or reduction in the payment in the amount of accrued sick leave.

References: SDCL §60-4-4

Adopted/Reviewed/Revised:

| | |
|---------------------------------|-------------------|
| Oelrichs School District | Policy GDE |
| Policy Manual | |

SUBSTITUTE/TEMPORARY SUPPORT STAFF EMPLOYMENT

- I. Definitions.
 - A. Substitute support staff are employees who are called in to perform the duties of an employee who is absent.
 - B. Temporary employees are those working a predetermined period of time and whose job will terminate upon completion of the period.
- II. Salary Placement.
 - A. All substitute support staff will be placed at the rate of pay as approved by the Board of Education.
 - B. Current support staff that substitute outside of their assigned positions will be paid at the substitute pay rate or their current rate, whichever is greater.
 - C. Temporary support staff personnel will be placed at the lowest rate of pay for that job classification.

Adopted/Reviewed/Revised: