

LITTLE WOUND SCHOOL BOARD

POLICY REVISIONS FOR 2021-2022



**The LWS Board is posting the policy revisions for 30 days ending
July 3, 2021 for public comment.
Any comments to these changes should be made in writing and email
to anne.hunter@littlewound.us or
fax to 605-455-2703 by 4:30 pm, July 3, 2021**

For Questions Call: 605-455-6179

When making a comment make certain you indicate the policy number. Thank you.

~~Content deleted from policy~~ Revisions

1.22 BOARD COMPENSATION AND EXPENSES

Reimbursement to Board members for official travel shall follow travel expense procedures established herein.

Board members shall be compensated at a rate established at the first regular meeting in July. For all officially sanctioned conferences, workshops and work sessions attended, the Board shall be compensated at the rate, plus expenses, of \$100 per day established at the first regular meeting in July. ~~plus expenses.~~

The two elected non-voting students shall receive \$100 each for each regular board meeting.

Board members shall be compensated for check signing at a rate of \$25.00 plus mileage only when called upon to sign checks by authorized personnel. The Board member may donate the money back to the school or the School Board Scholarship for students.

1.41 VOTING METHOD AT BOARD MEETINGS

Voting at all meetings of the Board shall be by show of hands unless otherwise established by a majority vote of the Board members present and the results shall be duly recorded in the minutes. Actions by the Board shall be by motion or resolution. Discussion by the Board of a matter does not constitute Board action. Only those items voted on by motion or resolution constitute an action of the Board.

3.07 PERSONNEL DISCIPLINE

The Board endorses a policy of progressive discipline in which employees are provided with notice of deficiencies and an opportunity to improve. The progressive discipline procedures may be applied to an employee who is experiencing a series of problems involving job performance and/or behavior.

Types of disciplinary action:

- Verbal warning - notification and warning to employee.
- Written reprimand - formal notification in writing to employee.
- Suspension - loss of work and wages for a specified number of hours or days.
- Termination - termination of employment.

The Board reserves the right to immediately go to more serious discipline than warranted by the progressive discipline procedures if the Board determines such discipline is warranted. In cases involving serious misconduct, every employee may be subject to immediate suspension by the Superintendent and/or immediate dismissal by the Board.

~~Full-time~~ Employees, excluding substitutes or temporary employees, who believe they have been disciplined too severely or without good cause may use the grievance procedures. Grievance procedures are not available to staff whose contracts have not been renewed, if the grievance is related to the non-renewal, or to any at-will employees who have been terminated or suspended with pay. ~~Substitutes and temporary employees shall not have any right to use grievance procedures.~~

Disciplinary action may result from, but is not limited to, the following employee behavior:

1. Failure to conduct performance evaluation on an employee under their supervision.
2. Acts of moral turpitude affecting the workplace.
3. Abuse of authority.
4. Creating discord among employees.
5. Smoking or use of tobacco in any form inside the smoking boundaries.
6. Serious personal misconduct which bring the organization into dispute.
7. Unauthorized/Excessive absenteeism or tardiness.
8. Misuse of the school leave policy
9. Job Abandonment: Missing one (1) day of work without personally contacting their immediate supervisor.
10. Neglect of duty.
11. Insubordination
12. Disloyalty (public statements not supporting the policies of the school) during working hours.
13. Sexual harassment of an employee or student.
14. Circumventing any school policy and procedure.
15. Threatening, bullying or intimidating harassment of employees, students, or visitors during work hours.
16. Causing physical injury to students or employees of the school.
17. Endangering the safety of employees or students.
18. Involvement with students ethically or morally prohibited by professional and community standards.
19. Failure to carry out assigned duties.
20. Failure to provide adequate supervision of students.
21. Retaliation against an employee.
22. Stealing or destroying school property.
23. Misuse of school materials, supplies or equipment.
24. Misuse of school vehicles, i.e., personal use of school vehicles.
25. Violating traffic laws while operating a school vehicle.
26. Misuse, conversion, or embezzlement of school funds.
27. Positive alcohol/drug screening result.
28. Violation of LWS Drug Free Workplace policy.
29. Drinking or using alcohol or other illegal or illicitly obtained prescription drugs while performing job duties during hours of employment or at any school sponsored activity.

30. Creating or influencing nepotism or favoritism in employment activities.
31. Breach of confidentiality.
32. Creating or being involved in workplace violence.
33. Driving a school vehicle while under the influence of alcohol or illicitly obtained prescription drugs or illegal drugs.
34. Conflict of interest with intended personal gain.
35. Falsification of required reports.
36. Possession of firearms, explosives, explosive devices, knives, or other dangerous weapons.
37. Conviction of a felony under the Major Crimes Act.
38. Non-compliance with the Code of Ethics
39. Using social media to defame school employees, students or school board.
40. Failure of a supervisory employee to enforce any or all of these policies
41. Breach of confidentiality of execution session of the School Board.
42. Falsifying credentials or application for financial/personal gain.

The supervisor shall utilize the following procedures, unless the violation involves serious misconduct, if an employee violates policy:

Step 1. Verbal Warning

- a. Meet with the employee to discuss the matter.
- b. Inform the employee of the nature of the problem and the action necessary to correct it.
- c. Documentation that a verbal reprimand has occurred and shall be maintained by the supervisor, employee, and a copy filed in the employee's personnel folder.

Step 2. Written Reprimand

- a. Have another meeting with the employee to discuss the matter.
- b. Issue a written reprimand to the employee that shall include the reason(s) for the action, the expected improvement and a time line for improvement.
- c. The supervisor shall warn the employee that a third incident may result in their suspension.
- d. A copy of the written reprimand shall be filed in the employee's personnel folder, and a copy given to the employee.

Step 3. Suspension

- a. Hold a third meeting with the employee to discuss the matter.
- b. Recommend suspension of the employee from work to the Superintendent.
- c. The ~~Supervisor~~ Human Resources Director shall issue a written recommendation letter for suspension to the employee with concurrence of the Superintendent. The letter shall include the reason(s) and the dates of the suspension. The letter shall also a warning to the employee that another incident may result in termination. ~~The Superintendent shall warn the employee that another Incident may result in termination.~~
- d. A copy of the suspension letter shall be filed in the employee's personnel folder and a copy given to the employee immediately upon notification of suspension.

Step 4. Termination

- a. Hold a fourth meeting with the employee to discuss the matter.
- b. Recommend termination of employment to the Superintendent.
- c. Provide all written documentation concerning the employee to the Superintendent.
- d. The Superintendent may proceed with the recommendation for termination of the employee's contract to the Board.
- e. If termination is approved by the Board, the Human Resources Director shall issue a letter of termination to the employee ~~Written notification shall be made by the Superintendent to the employee~~ and shall include the reason(s) for the disciplinary action. ~~advise the employee of their right to timely file a grievance.~~

Three or more written reprimands in an employee's personnel folder may be grounds for immediate suspension with recommendation for termination to the board.

3.08 STAFF GRIEVANCE

A grievance is defined as a complaint of an ~~an full-time~~ employee, whether contract or at-will, excluding substitutes or temporary employees, concerning interpretation or application of an employment related policy, rule or regulation by supervisors or fellow employees. Grievance procedures are to be available to the employee until exhausted under policies and procedures of Little Wound School, if filed according to the timeline. Any information concerning an employee grievance is to be held in strict confidence by Little Wound School administration, staff, and by the grieving employee.

Employees cannot grieve an administrative suspension with pay, a contract non-renewal, or a termination or failure to hire or rehire an at-will employee.

Informal Grievance

Employees must attempt to informally resolve their complaints prior to filing a formal grievance. This shall be accomplished by contacting the employee's immediate supervisor within five (5) regular business days after the incident giving rise to the grievance, or if the supervisor is the subject of the complaint, then contacting the next supervisor in line. This process shall continue until the grievance is received by the Superintendent. Supervisors are required to address an informal grievance received within three (3) business days of receipt of the informal grievance. At each level the employee will be required to provide written documentation and the supervisor will be required to issue a decision in writing on the informal grievance. The complaint will be heard and attempted to be resolved to the employee's satisfaction. If the employee fails to timely follow the informal grievance, the employee shall be prohibited from filing a formal grievance.

Formal Grievance

If the employee is not satisfied with the informal resolution, then the employee must file a formal grievance with the Human Resource Office of Little Wound School. The formal grievance must be

received by the Human Resource Office within ten (10) regular business days from the date of the incident giving rise to the complaint, or the employee may not proceed any further within the grievance procedures of Little Wound School. This ten (10) business day limitation includes the informal grievance period, so employees are reminded to file within ten (10) regular business days, even if informal counseling is still continuing. The ten (10) regular business day limitation is counted beginning the day after the alleged incident.

3.09 GRIEVANCE COMMITTEE

Any regular full-time employee of Little Wound School who has filed a formal grievance with the Human Resources Office of Little Wound School may request a hearing by the Grievance Committee or may request that the Grievance Committee make a decision based upon the written record without a hearing.

Grievance Committee shall be comprised of the following individuals:

- a. The Little Wound School Human Resources Director. If the Human Resources Director is the subject of the complaint or has heard the complaint while acting as the complainant's supervisor, the currently designated LWS Board member sitting on the Appeal Committee shall select an alternate to act in the place of the Human Resources Director.
- b. A member of the administration or supervisory staff not in the same department as the grieving employee.
- c. A member of the staff not in the same department as the grieving employee. The administration and staff members shall be selected by the Superintendent of the Little Wound School, or if the Superintendent has a conflict-of-interest, then they shall be selected by the currently designated LWS Board member sitting on the Appeal Committee.

Request a hearing by the Grievance Committee

If a hearing is requested by the grieving employee, the employee shall request the hearing in writing, or by so indicating on a grievance form supplied by Little Wound School. A hearing shall be granted and held within thirty (30) calendar days of the date of filing the grievance, unless the Grievance Committee, for good cause, postpones the hearing.

At the hearing, the grieving employee may be accompanied by one personal representative or by an attorney of the employee's choosing (and expense). The grieving employee has the right to present evidence and testimony, cross-examine witnesses, and provide supporting documentation. The rules of evidence and procedure shall not apply, but the Grievance Committee shall require that the hearing be conducted in an orderly fashion, with decorum and respect, and that the hearing be fair and impartial. A tape recording of the hearing shall be taken and maintained by the Human Resources Office. The Little Wound School shall be represented by the Little Wound School attorney, and may hire a hearing officer, if one is necessary. The Grievance Committee may issue an oral decision at the end of the hearing, or it may choose to issue a written decision, which shall be provided to the grieving employee within five (5)

business days of the end of the hearing. Its decision shall constitute a final decision of the grievance Committee.

Request the Grievance Committee make a decision

If the grieving employee requests that the Grievance Committee make a decision, without a hearing, the Committee will based its decision upon the personnel record of the employee, the personnel record of the alleged subject of the complaint, and written statements of the grieving employee, the alleged subject of the complaint and any other written document requested by the Grievance Committee. The written statements shall be submitted within five (5) regular business days of the date of filing the grievance.

3.22 COMPENSATION GUIDES AND CONTRACTS

Salary ranges shall be established in order to provide a basis for recognizing individual differences among positions. The objective is to insure equal pay for equal work.

- a. No employee shall be paid less than the federal minimum wage.
- b. Salary increases may be given no more frequently than annually to reward efficient work and career development.
- c. No employee shall have their salary and benefits increased unless approved in advance by the Board.

Salary Schedules

Salary and wage schedules will be reviewed every three (3) years. Any adjustments made to salary and wage schedules will be based on the overall financial status of the school.

Salary Increases

At the discretion of LWS Board with salary considerations, salary increases may be granted annually for one of the following reasons: Step increase, educational attainment, or cost of living. The Superintendent, in consultation with the Business Manager, shall make recommendations to the Board.

Official college transcripts shall be on file with the Human Resources Director before the first payment is received after employment begins ~~no later than fifteen (15) work days after the start of employment~~ in order to receive a salary increase based upon completion of college courses, except for summer school classes that are completed before the beginning of school if proper proof of completion is submitted to Human Resources Director. Only credits toward a graduate level degree may be used to advance on the teacher salary schedule. (See also 3.-Educational Leave).

Employees must be employed at a minimum of fifty-one percent (51%) of their contracted work period to be eligible for salary increases.

Entrance Salary

Salary granted to new employees will depend on performance assessment of education, experience, and qualifications. New employees, other than certified teachers, may bring in four (4) years of related outside experience. Certified teachers may bring in (8) years of related outside experience. If the employee is a former Little Wound School employee, all previous experience at the school may also be used to determine entrance salary if such experience is directly related to the position hired for.

The Business Manager's salary is negotiable.

Temporary Employment Salary

Salary for temporary employees will be based on established rates approved by the Board annually. Temporary employees shall not work no more than 29 hours per week. Supervisors are required to monitor time to assure hours do not exceed 29 hours per week.

Substitute Salary

Payment for substitutes will be based on established rates approved by the Board. Substitutes shall not work no more than 29 hours per week. Supervisors are required to monitor time to assure hours do not exceed 29 hours per week.

Compensatory Hours

Compensatory hours are all hours that the employee is required to work from the organization. This shall also include time during which the employee is necessarily required to be on the employer's premises, on duty or at a prescribed work place.

Employees are not required to remain at work during their lunch periods. An employee may not waive their lunch period and thereby leave their workstation prior to the end of the normal workday.

At the discretion of the Superintendent, salaried (*exempt*) employees may be compensated for time worked or required to work that exceeds their daily required work hours. These employees must have prior approval from their supervisor or Superintendent prior to performing work after regular work hours.


Contracts & Employment Agreement

The Board does not provide for a continuing contract or employment agreement. Other than the Superintendent ~~and Business Manager~~, all employees, both certified and non-certified, are hired for one (1) year or less, and their employment is not deemed to be continuing.

~~Instructional All employees with~~ Employment Contract: Teachers, counselors and administrators required to have SD Teacher Certification shall sign an employment contract annually.

Employment Agreement: All other non-certified or at-will employees shall sign an employment agreement annually.

These contracts or agreements shall be on file with the Human Resources Director before employment starts. The Board reserves the right to annually attach such addendum or conditions to offered contracts and agreements as may improve the performance of LWS employees. An annual contract once offered by LWS, must be accepted or rejected, and may not be altered in any way by the employee or by LWS.

Instructional personnel (Teachers, Counselors, Librarians, and Student Assistants, Mentors  ~~Aides~~) shall ~~sign a contract or employment agreement annually to~~ provide services for a predetermined number of days per contract period. Instructional personnel shall receive their salary on a bi-weekly basis for twenty-one (21) or prorate their annual salary for twenty-six (26) pay periods and shall receive bi-weekly salary payment until the contract amount is fulfilled. Days missed without approved leave for prorated salaries will be deducted at a rate dividing the contract amount by the number of contract days to acquire a daily rate for deductions.

~~Non-instructional personnel (Hourly wage employees) shall sign an employment agreement annually and~~ are paid bi-weekly at an hourly rate based on hours of service provided during a two (2) week period. Hourly wage employees who work less than one year may opt to prorate their annual salary and use the same prorated guidelines as instructional staff.

The Board reserves the right to pay a recruitment or retention signing bonus to new certified teachers, who have not worked at LWS within the previous five (5) years. New teacher signing bonus will be paid upon submitting a current SD Teaching Certificate to Human Resources and the teacher has successfully completed a 90-day probation period.

Other retention bonuses is at the discretion of the Board and funding availability. ~~Recruitment and retention bonuses shall be paid after the employee has successfully completed their contract and has submitted a valid teacher certificate to the Human Resources Director.~~

Fringe Benefits

Fringe benefits for personnel shall be established by the Board on an annual basis and may include: Life insurance, Health Insurance, Dental Insurance, Disability Insurance, Vision Insurance, Retirement, and Annual, Personal or Sick Leave.

The Board shall have the authority to authorize a Fringe Benefits Committee whose purpose is to make recommendations on employee fringe benefits no less than annually to the Superintendent and the School Board pursuant to a Committee Charter adopted by the Board.

3.24 DEFINITION OF EMPLOYEE

An employee is defined as an individual who has signed an agreement with and who performs work for Little Wound School, who works under the supervision of someone in the organization, and who utilizes the resources of the organization to perform these functions. The classes of employees are defined as follows:

Regular ~~Full-time~~ Employees:

Those employees who work at least thirty hours per week and who maintain regular employment status under an employment contract or agreement. All regular full-time employees are eligible for all employee benefits, annual leave, holidays, and sick leave benefits. These employees may utilize the grievance procedures.

There are two types of regular employees:

Support Employees: Those employees who provide support services to the educational programs and who are not required to be certified by SD Teacher Certification. This includes hourly wage employees.

Certified Employees: Those employees who must have a SD Teacher Certificate as a teacher, counselor or administrator in order to maintain their employment with Little Wound School. Any failure to renew or obtain certification before the first day of the school year constitutes a breach of the terms and conditions of the contract. If certification is not in place before the first day of the School Year, the contract will automatically terminate unless:

- a. The employee proves documentation from SD Teacher Certification that application for certification is in process; or
- b. The LWS Board approves a conditional approval to continue work based on the lack of any available certified personnel, and the LWS complies with all required state and federal regulations.

Temporary Employees:

An appointment which does not exceed ninety (90) days, and which includes, but is not limited to, substitute teachers and staff. Temporary employees will not work more than 29 hours per week. After 90 days, the supervisor must provide justification of need to continue the appointment. The continued employment will be contingent on funds and board approval. However, the Board shall have the right to extend a temporary employee's appointment beyond the (90) days if the school needs require it. These temporary employees shall not be eligible for employee benefits, including but not limited to, leave, holiday pay, and insurance or retirement benefits. These employees may be dismissed with or without cause at any time. These employees may not utilize the grievance procedures.

Contractors:

All contractors are not employees of Little Wound School.

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~~Covered Employee:~~

~~An employee that is covered by the applicable protections of the federal labor laws. The LWS is required to keep records for such employee to determine hours worked. Covered employees fall under two classes exempt and non-exempt.~~

~~Non-exempt: An employee who is subject to federal overtime laws Fair Labor Standards Act (FLSA). These employees shall receive overtime pay at a rate of 1 ½ times the hourly rate for each hour of overtime worked.~~

~~All hourly employees are required to utilize an electronic time clock to sign in and out each work day. Employees paid hourly shall be considered non-exempt.~~

~~Exempt: An employee who is not subject to federal overtime laws Fair Labor Standards Act (FLSA). These employees do not qualify for overtime when they work more than 40 hours in a workweek. These employees are classified based on specific job descriptions and duties involved and are generally classified as exempt if the employee falls into one of three classes: executive, administrative, or professional as defined by the Fair Labor Standards Act.~~

3.28 PERSONNEL HIRING

At the earliest possible date following the closing date of a job announcement, the Human Resources Director shall submit applications to a screening committee. The screening committee may be composed of the Human Resources Director, or designee, supervisor of the position to be filled, a community member, and/or one other supervisory employee. The Human Resources Director shall determine appropriate screening procedures for job announcements advertised as opened until filled.

The purpose of the committee will be to review and rate applications based solely on the information contained in the application and other documentation provided by the applicant. Regardless of when determined, falsifying credentials submitted with application will result in disqualification of application or if employed, immediate suspension with recommendation made to Board for termination. The screening committee will be responsible to carefully rate information contained in the application. Information that is not contained in applications will not be used to rate applications and in no way shall be used against an applicant. Applications that will not be rated are:

1. Applications not meeting job qualifications as indicated in job advertisement.
2. Applications that are not signed by the applicant.
3. Applications received after job advertisement closing date.
4. Applications from former LWS employees who were terminated for disciplinary reasons within one year from date of application.

All applications which meet qualifications will be screened and rated based on established criteria. Applicants with the highest points may be selected for interviews:

- a. If in the opinion of the Human Resources Director, applicants with the highest points shall be required to have at least one interview.
- b. Immediate supervisors, the Human Resources Director, the Superintendent and/or the Board may be included among persons who interview an applicant. A supervisor shall not be involved in the selection and hiring process of an immediate family member, nor shall a supervisor be allowed

supervise an immediate family member, as defined by LWS policy. Immediate family member is defined in policy sections 1.58 and 3.16.

- c. There will be no travel expenses paid to applicants for interviewing.
- d. Interviews may be conducted by the telephone or other electronic platform, e.g. skype, zoom, etc.

If in the opinion of the Board, the applicants interviewed for a position are not suitable for the position, the Board may request that the position be re-advertised or other qualified applicants screened for the position be scheduled for an interview.

~~A background investigation for all personnel providing services to LWS shall be completed by the Human Resources Director prior to beginning employment and may be conducted every five years thereafter. Such investigation shall be in compliance with all applicable laws and regulations and paid for by the employee. This process will include forwarding background investigation to the state Department of Criminal Justice Services, State Registry of Social Services, and Federal Bureau of Investigations, and Tribal Agencies. The contract with the employee, even if signed by the parties, shall not be considered executed, valid or enforceable until all results are returned regarding the background check. The legal effect of negative results coming in after the contract has been signed is that the employee's contract shall be considered null and void, as if no employment relationship exists between the employee and the Little Wound School. An employee contract is otherwise binding upon execution/signature by the parties, and enforceable upon execution.~~

Employment Background Check

The Board believes all employees are role models for students and is committed to providing a safe and secure educational and working environment for students and employees. As part of this effort, the Board requires background checks, which includes criminal background checks, for all employees pursuant to P.L. 101-630 and CFR 25 Part 63.

Definitions

Employee includes all regular employees, substitutes, temporary, coaches, advisors, volunteers, contract child services, with significant unsupervised access to students.

Criminal History Report is a document generated by the South Dakota Bureau of Criminal Investigation and/or Federal Bureau of Investigation (FBI) after a fingerprint-based search of the state and national criminal history files and/or other state and federal databases designated by applicable law or by the school. It also includes reports from the tribal court on prior criminal proceedings in tribal court.

Background Check means information on an applicant or employee that may include, but is not limited to, employment history, fingerprint scans, criminal history reports, employment and residency history, and driving record reports.

Prospective Employee is defined as the individual who is selected as the “successful applicant” for a particular position at the school.

Adjudicated: is defined as making a comprehensive, common-sense judgement, made after consideration of all the relevant information; favorable or unfavorable.

Employment Screening

The Board requires background checks on all applicants for employment. Accordingly, the Board requires each applicant to submit to a background check prior to employment or service in the school. However, the applicant may begin working or volunteering while the background check is in process on a provisional basis, if the LWS provides supervision of the provisional employee and ensures that the provisional employee is never unsupervised when in the presence of LWS students.

The applicant shall pay all of the cost of the background check, except as otherwise provided herein. The background check is a condition of employment or volunteering if the applicant is selected as the “successful applicant” for the particular job or volunteer position.

Volunteers with significant unsupervised access to students must also complete a background check but will not be required to pay the cost of the background check.

An adjudication will be completed on all relevant information obtained through the background check to determine if the applicant is suitable for employment with the school.

Upon successful completion of the background check, the provisional employee’s job status will change to a regular employee at the school.

If the applicant or provisional employee’s is determined to be undesirable for employment with the school based on the background check, the offer of employment with the school will be rescinded and/or the provisional contract shall automatically terminate upon notice to the provisional employee of an unsatisfactory background check. . The applicant or provisional employee shall have the opportunity to respond in writing to any information received as a result of the background check. However, applicants or provisional employees with statutory debarment convictions will not be considered for employment.

Upon written request by the applicant or provisional employee to review the background check, the matter shall be submitted for an administrative review. The applicant or provisional employee shall be granted an informal review at which time the applicant or provisional employee may present documentary and/or verbal evidence for review and reconsideration. The decision of the administration regarding this review shall be final.

If an applicant or provisional employee is denied employment due to information obtained through a criminal background check, the applicant or provisional employee shall be given written notice of reasons for denial and shall have the opportunity to respond to the reasons in writing and to have an informal administrative review.

The legal effect of negative results coming in after the contract/employment agreement has been signed is that the employee's contract/employment agreement shall be considered null and void, as if no employment relationship exists between the employee and the Little Wound School. An employee contract is otherwise binding upon execution/signature by the parties, and enforceable upon execution.

Each current employee and applicant must agree to have his/her fingerprints taken and sign a document of acknowledgment and waiver permitting the school to request a background check of any state or federal criminal history file that the school might deem applicable as a condition of employment or volunteering. Student employees under the age of eighteen (18) years are not required to be fingerprinted.

Periodic Background Checks

The school shall conduct background checks for all employees every five years.

An employee who is arrested or charged with any of the following alleged offenses shall report the charge or arrest to the Human Resources Officer, or his/her designee, within forty-eight (48) hours or the next business day, whichever is greater:

- any alleged sex offenses;
- any alleged drug-related offenses;
- any alleged alcohol-related offenses;
- any alleged offenses involving children, including any offense against a child, child abuse, child neglect, child endangerment, or contributing to the delinquency of a minor.
- any alleged offenses involving offenses against another the person including, but not limited to, offenses of assault, harassment, abuse, neglect, exploitation, endangerment, kidnapping, murder, human trafficking, rape, sexual assault, or other offenses against another person(s); and
- any alleged offenses relating to of the vehicle code or traffic laws for employees who drive motor vehicles as an employment responsibility.

An employee shall report arrests, charges filed, and convictions to Human Resources, or his/her designee, within forty-eight (48) hours or the next business day, whichever is greater.

An employee will be immediately suspended from student supervision responsibilities for offenses which may endanger students during the period of investigation. LWS may also in its sole discretion suspend the employee with or without pay from employment pending investigation.

An employee will be immediately suspended from transporting students for alleged offenses involving alcohol or drugs during the period of investigation and where reasonable cause exists.

The school will provide adequate due process for the employee consistent with school policy, but LWS had the sole responsibility and discretion to determine if suspension of employment pending investigation is warranted based on the facts of each specific case.

Records of arrests and convictions shall be placed in the employee's personnel file and will include final determinations and actions following investigation; and will be maintained only as necessary to protect the safety of students and/or employees and with strict requirements for the protection of confidential employment information.

Any failure to report an arrest or conviction required in this policy, or failure to authorize the school to conduct a background check will result in disciplinary action, up to and including termination pursuant to school policy.

The Board has the final decision on all appointments for employment at Little Wound School. Little Wound School may retroactively approve to hire an employee where the Superintendent has had to act without advance Board approval. The Board reserves the right to select one alternate for any position who will fill a position in the event the selected person declines the job offer or fails to fulfill the probation period.

3.30 TEMPORARY APPOINTMENTS

The Superintendent shall have the authority to appoint temporary personnel to work assignments required at the school (~~first, utilize temporary pool of applicants~~); dependent upon available funding sources and avoiding nepotism. Under no circumstances will an individual be employed without first undergoing background investigation and pre-employment drug testing. The Board will be notified of all temporary appointments. Temporary appointments may not exceed ninety (90) work days. The temporary employee shall be paid at a rate established by the School Board for actual work days performed.

3.31 PERSONNEL ORIENTATION

An orientation program for all new employees shall be implemented by the Human Resources Director. The orientation shall assist new employees to become acquainted with the community, school policies and procedures, philosophy, programs, and assessment. Supervisors shall be assigned specific roles in carrying out the orientation program. Employees shall document their participation in orientation by completing a checklist developed by the Human Resources Director which lists those items understood and those items requiring additional awareness, to be placed in their personnel folder.

The Human Resources Director shall be responsible to work with supervisors to ensure all support staff have the required preparation and training as outlined in their job description.

All new personnel ~~shall participate in an orientation~~ unfamiliar with the Oglala Sioux Tribe and the communities on the Pine Ridge Reservation shall participate in an orientation on Lakota values and reservation life.

Supervisors and the Board shall meet annually during the month of August for the purpose of providing them with an orientation as to their roles and responsibilities.

3.39 PERSONNEL TRANSFER

Personnel may transfer within the school on a voluntary or involuntary basis, unless position advertising restrictions prohibit such transfer. Transfer may not be used as a means of disciplinary action. Transfers may only be made where a vacant position exists. All transfers shall be approved by the Board.

VOLUNTARY: Employees may request transfer or be reassigned from one department or job to another, which may be granted when in the best interest of the employee and the school.

Staff wishing to transfer or to be reassigned to another position within the school shall notify their immediate supervisor of reasons for the request and the position to which transfer or reassignment is desired. Upon approval by the immediate supervisor, the request is then submitted to the Human Resources Director who shall refer the request to the Superintendent for Board action, who shall make the final decision.

INVOLUNTARY: If an involuntary transfer is in the best interest of the school, the Superintendent may consider maintaining the transferring employee's former salary, pay, or grade, but is not required to do so and is contingent on school budget.

The Superintendent shall request transfers or reassignments of support personnel in the best interest of the school and consider employee preference. The Superintendent may take into consideration the recommendation of the transferring employee's supervisor prior to transfer or reassignment.

If an employee is transferred or reassigned to a vacant or soon-to-be vacant position then the requirement for advertisement of that position is waived by the School Board, and only the position being left vacant by the transferring or reassigned employee shall be advertised. The board may require additional probation for a transferred employee of 30 – 90 days.

~~Noncompliance with transfer request of the Board may result in loss of employment to person(s) involved.~~

3.41 PERSONNEL RESIGNATION

Any non-certified (support) employee may resign at any time by mutual consent with the Board. Support personnel wishing to voluntarily resign from their position shall give written notice of resignation to the Superintendent fourteen (14) days prior to leaving their employment.

A certified employee may resign effective at the end of their current contract. If an administrator becomes aware of a situation, which may constitute a possible resignation, that administrator shall notify the Superintendent, who shall then notify the Board Chairperson within forty-eight (48) hours. A resignation may be accepted by the Board by any means, including verbally or in writing, at any time thereafter.

Once a certified staff member has signed a contract, they may not terminate or cancel their contract, unless the Board has given its consent. In cases where an employee has breached their contract by departing during the contract year, terminating or canceling the contract without the Board's consent, the

Board may consider legal action, including seeking revocation of the employee's certification. The Board may seek revocation of a teaching or administrator's certificate upon the event that a certified staff member abandons their position, otherwise breaches their contract, and the Board shall levy a five (5) percent penalty on the financial value of the entire current contract of the certified employee, upon such breach of contract.

All employees who ~~If certified or support staff,~~ fail to comply with exit documentation or comply with the above stated policy, will not be considered for future employment for a period of at least one year.

3.42 RE-EMPLOYMENT

Following review of performance assessments and consultation with an employee, the supervisor will submit recommendations to the Board for re-employment for the following school term. The Human Resources Director will, whenever, feasible notify the employee of renewal or nonrenewal for the following school term two weeks ~~thirty days~~ before the end of an employee's current contract or employment agreement. Failure to notify an employee does not constitute an expressed or implied promise to renew the employee's employment. If the employee is not renewed, the employee is not entitled to utilize grievance procedures or to a due process hearing.

The employee must notify the Board in writing whether they will accept or reject the re-employment offer within fourteen (14) calendar days following the date of notification. Failure to provide the Board with such notification shall constitute a rejection of the offer of employment and the position is declared vacant.

3.43 HEALTH EXAMINATION

All employees shall have a physical examination and a tuberculosis test at their own expense and shall file a medical certificate attesting to freedom from communicable disease, unless such physical examination violates the provisions of federal or tribal law. Such certificates must be filed with the School Nurse ~~Human Resources Director~~ within thirty (30) days of the starting date of employment and every three years thereafter. Tuberculosis tests shall be required every ~~three years~~. All Food Service, Facilities and Transportation employees must pass a physical examination annually.

New employees requiring to get a health examination will be provide four (4) hours of administrative leave to get the physical.

3.46 OVERTIME

The Board shall comply with the applicable provisions of the Fair Labor Standards Act.

With effective planning and efficient management, overtime work is not required. Overtime work will normally be permitted only upon the authorization of the designated supervisor and Superintendent.

Prior to incurring overtime, which will lead to overtime compensation, the employee shall request approval from their immediate supervisor. Compensation time earned, the length of time worked, the

reasons for such overtime, and authorization will be documented by the immediate supervisor and the Superintendent. False claims regarding overtime by employees shall subject the claimant to suspension or termination action.

Non-exempt employees are subject to FLSA and shall be paid for overtime at one and one-half (1 ½) times their hourly rate of compensation for all involuntary or permitted hours in excess of forty (40) actual work hours per work week.

Exempt: An employee who is not subject to federal overtime laws Fair Labor Standards Act (FLSA). These employees do not qualify for overtime when they work more than 40 hours in a workweek. These employees are classified based on specific job descriptions and duties involved and are generally classified as exempt if the employee falls into one of three classes: executive, administrative, or professional as defined by the Fair Labor Standards Act.

Involuntary or permitted work:

Involuntary or permitted work is defined as work which has been required by the Little Wound School or the immediate supervisor or work which the employee performs with the implied consent or knowledge of the supervisor.

The LWS is required to keep records for such employee to determine hours worked.

Time Clocks: All hourly employees are required to utilize an electronic time clock to sign in and out each work day. Employees paid hourly shall be considered non-exempt.

3.55 LEAVES AND ABSENCES

There are only specified forms of leave available to LWS personnel. These include: annual, administrative, sick, personal, bereavement, legal, military, family care, family and medical leave, and Sundance leave all of which require advance approval by the requesting employee's immediate supervisor, based upon a completed leave slip application.

No leave shall be allowed during Orientation, the first two weeks of classes and last two weeks of school (to include: Personal, annual, and leave without pay) unless approved in advance by the Supervisor. If prior leave arrangements have been made by an employee and school dismisses early, that employee will utilize the prior leave arrangements.

~~MOVED TO NEW POLICY 3.55a Administrative leave is defined as leave granted by the Superintendent or the Superintendent's designee only for the following situations: conferences and visitations, during a disciplinary investigation, weather-related school closings, health and safety of staff and students, or any other required closing of the school necessitating the dismissal of staff.~~

Applications for leave must be made through established procedures and as far in advance as possible. All employees must receive prior approval for all leave requests, except in emergencies. Failure to

receive approval in advance may result in assignment of Absent Without Leave (AWOL) status and personnel action taken, based upon a completed leave slip application.

At the discretion of the immediate supervisor and Superintendent, Leave without Pay (LWOP) may be granted to an employee for extreme emergencies. Leave without pay refers to unpaid leave and will be considered excessive after three (3) days have been granted and may result in personnel action taken. There shall be no advance leave granted. Advance leave is defined as deductions from future leave not yet earned by the employee. (LWOP) will not be approved until all leave is exhausted.

A regular employee may donate annual, personal or sick leave to another employee who has a personal or family medical emergency and who has exhausted his or her available paid leave. The school does not provide a leave bank. Therefore, an employee who may need donated leave shall recruit employee(s) to donate leave. There is no limit on the amount of donated leave a leave recipient may receive from the leave donor(s). However, leave donation is a courtesy to employees who have personal and health emergencies, and should not be abused. A leave donor must complete a leave donation form and submit to the human resources director for approval.

The Human Resources Director shall be responsible for submitting a leave report to the Superintendent for LWS Board review (prior to contract renewal), reporting accumulative leave taken annually.

3.55a ADMINISTRATIVE LEAVE

Administrative leave is defined as leave granted by the Superintendent or the Superintendent's designee only for the following situations: conferences and visitations, during a disciplinary investigation, weather-related school closings, health and safety of staff and students, or any other required closing of the school necessitating the dismissal of staff.

3.57 SUN DANCE LEAVE

Little Wound School year-round employees who are Sun Dancers and who participate and are dancing in a Sun Dance can be granted up to ~~three~~four working days of paid Sun Dance leave yearly.

Year-round employees wishing to apply for Sun dance leave must submit to their supervisor a request for three days at least two weeks in advance. The supervisor and employee will determine that the duties of the employee will be fulfilled, and that notification has been made in sufficient time for those duties to be fulfilled.

3.66 VACATION LEAVE

Vacation leave is only allocated for year around employees who do not accrue annual or sick leave. Vacation leave shall be determined by the supervisor and Superintendent on an employee-by-employee basis and settled through the contract renewal process. Vacation leave is to be used before the end of an employee's contract or leave will be lost.

3.71 TEACER RECORDS - MOVED TO SECTION 6 AS 6.48

3.71 TEACHER RECORDS

~~Teachers shall be required to accumulate and report information on students for which learning activities are provided inclusive of:~~

~~a. Name and age of the student,~~

~~b. Daily attendance of each student,~~

~~c. Academic performance:~~

~~——— 1. Mid-quarter, quarter and semester grade(s) (K-8),~~

~~——— 2. Advancement/retention reports, (K-12),~~

~~3. Mid-term progress reports, semester grades (9-12),~~

~~4. Promotional Summary (K-8),~~

~~d. Social development (Kindergarten),~~

~~e. An updated inventory of classroom materials and equipment at the end of school,~~

~~f. Weekly lesson plans for areas of instruction to respective Principal,~~

~~g. Proficiency levels.~~

~~All teachers are responsible for completing activities at the close of the school term inclusive of grade reports, grade books, attendance books, keys, cumulative folders, inventory, classroom cleaning, and other assigned activities prior to receiving final contract payment for the school term.~~

3.74 ALCOHOL & DRUG TESTING

All employees will be subject to the LWS Alcohol & Drug Testing procedures established by the Little Wound School Board, attached to and incorporated by reference into these policies and procedures, which will be implemented in all situations involving the abuse and use of alcohol or drugs by employees in the performance of their duties. Note: All test results are the property of Little Wound School and copies of results will not be distributed unless court ordered. All employees will be provided a copy of the policies and procedures at the beginning of their employment and shall be notified within a reasonable period of time of any revision to such procedures by the Superintendent. This policy is property of the Little Wound School. Its contents in this policy were designed and implemented specifically for LWS purposes only and should not in any way be copied and used in another organization. This policy is provided to interested organizations wishing to establish a similar policy to be used as a guide only.

I. STATEMENT

The Little Wound School Board has a strong commitment to the health, safety and welfare of its students, employees and their families, and to the community. Statistics establish that the incidence of drug and alcohol abuse is increasing and that the effect is devastating to lives, the educational process, and the community at large. Little Wound School is concerned that due to the potential for abuse among some employees, the safety of our students, employees and general public could be endangered. The LWS Board's commitment to maintaining a safe, secure and drug and alcohol free workplace requires a clear policy and supportive programs relating to the detection, treatment, and prevention of substance abuse by all employees.

II. POLICY

It is the policy of the Little Wound School Board to provide a safe, secure and drug and alcohol free workplace by implementing a program to detect, treat and prevent the use and abuse of alcohol and drugs by all employees. The Little Wound School Board will comply with all federal, state, and tribal laws and regulations to implement this program.

The contents of this policy shall be made available to each covered employee, and shall include, at a minimum, discussion of:

- a. Definitions of language used in the manual.
- b. The identity of the person designated by the LWS Board to answer employee questions about the alcohol and drug-free program.
- c. The categories of employees who are subject to the provisions of this policy.
- d. Specific information concerning the behavior that is prohibited by this policy.
- e. The specific circumstances under which a covered employee will be tested for prohibited alcohol and drugs under the provisions of this policy.
- f. The procedures that will be used to test for the presence of alcohol and drugs, protect the employee and the integrity of the testing process, safeguard the validity of the test results, and ensure the test results are attributed to the correct covered employee.
- g. The requirement that a covered employee submit to alcohol and drug testing administered in accordance with this part.
- h. A description of the kind of behavior that constitutes a refusal to take an alcohol or drug test and a statement that such a refusal constitutes a verified positive test result.
- i. The consequences for a covered employee who has a verified positive test result or refuses to submit to a test under this part, including the mandatory requirements that the covered employee be removed immediately from their safety sensitive function and be evaluated by a substance abuse professional.

- j. If the LWS Board implements elements of an alcohol and drug-free program that are in addition to this policy, the LWS Board shall give each covered employee specific information concerning which provisions are mandated by this policy and which are not.

Requirement to Disseminate Policy

The LWS Board shall provide written notice to every covered employee of the Little Wound School's alcohol and drug-free policies and procedures.

Education and Training Programs

The LWS Board shall establish an employee education and training program for all covered employees, including:

1. Education: The education component shall include display and distribution to every covered employee informational material and a community service hot-line telephone number for employee assistance, if available.
2. Training:
 - a. Covered employees. Covered employees shall receive at least 60 minutes of training on the effects and consequences of prohibited alcohol and drug use on personal health, safety, and the work environment, and on the signs and symptoms which may indicate prohibited alcohol and drug use.
 - b. Supervisors who make reasonable suspicion determinations shall receive prior training on physical, behavioral, and performance indicators for reasonable suspicion and drug use. Training must be completed every two years.
 - c. Transportation Manager, bus drivers, and all CDL holders must receive training annually on the physical, behavioral, and performance indicators for reasonable suspicion and drug use.

III. DEFINITIONS

The following definitions apply to this manual:

Adulterated Specimen means a specimen that contains a substance that is not expected to be present in human urine, or contains a substance expected to be present but at a concentration so high that it is not consistent with human urine.

Alcohol means the intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohol's including methyl or isopropyl alcohol.

Alcohol concentrations means the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test under this part.

Alcohol & Drug-free program means a program to detect and deter the use of prohibited drugs and alcohol as required by this part.

Alcohol confirmation test means a subsequent test using an EBT [evidentiary breath testing device]; following a screening test with a result of 0.02 or greater that provides quantitative data about the alcohol concentration.

Alcohol use means the consumption of any beverage, mixture, or preparation, including any medication, containing alcohol.

Board member means the Little Wound School Board.

Alcohol screening test means an analytic procedure to determine whether an employee may have a prohibited concentration of alcohol in a breath or saliva specimen.

Alcohol testing site means a place selected by

Breath Alcohol Technician (BAT). An individual who instructs and assists individuals in the alcohol testing process and operates an EBT.

Canceled test means a test that has been declared invalid by a Medical Review Officer. It is neither a verified positive nor a verified negative test, and includes a specimen rejected for testing by a laboratory.

Collection container. A container into which the employee urinates to provide the urine sample used for a drug test.

Collection site. A place designated by the LWS where individuals present themselves for the purpose of providing a specimen of their urine to be analyzed for the presence of drugs.

Confirmation (or confirmatory) test. In drug testing, a second analytical procedure to identify the presence of a specific drug or metabolite that is independent of the screening test and that uses a different technique and chemical principal from that of the screening test in order to ensure reliability and accuracy.

Gas chromatography/mass spectrometry (GC/MS) is the only authorized confirmation methods for cocaine, marijuana, opiates, amphetamines, and phencyclidine.)

In alcohol testing, a second test, following a screening test with a Blood Alcohol Concentration (BAC) of 0.02 or greater that provides quantitative data of alcohol concentration.

Contractor means a person or organization that provides a service for Little Wound School consistent with a specific understanding or arrangement. The understanding can be a written contract or an informal arrangement that reflects an ongoing relationship between the parties.

Controlled Substance means any drug or substance, or its immediate precursor, included in schedule I, II, III, IV, or V of part B of 21 U.S.C. Chapter 13, Subchapter I as set forth in 21 C.F.R. §§1308.11 - 1308.15. The term does not include distilled spirits, wine, malt beverages, or tobacco, as those terms are defined or used in subtitle E of the Internal Revenue Code of 1986. It does include, but is not limited to marijuana, cocaine, opiates, amphetamines, and phencyclidine (PCP).

Disabling damage means damage which precludes departure of a motor vehicle from the scene of the accident/incident in its usual manner in daylight after simple repairs.


- a. Inclusion. Damage to motor vehicles that could have been driven, but would have been further if so driven.
- b. Exclusions.
 - 1. Damage which can be remedied temporarily at the scene of the accident/incident without special tools or parts.
 - 2. Tire disablement without other damage even if no spare tire is available.
 - 3. Headlamp or taillight damage.
 - 4. Damage to turn signals, horn, or windshield wipers which makes them inoperative.

Employee. An individual, including all employees of Little Wound School, substitutes, temporary, volunteers, applicants for employment, or transferees. As used in this manual "employee" includes an applicant for employment. "Employee" and "individual" have the same meaning for purposes of this policy.

EBT (or evidential breath testing device). An EBT approved by the National Highway Traffic Safety Administration (NHTSA) for the evidential testing of breath and placed on NHTSA's "Conforming Products List of Evidential Breath Measurement Devices" (CPL), and identified on the CPL as conforming with the model specifications available from the National Highway Traffic Safety Administration, Office of Alcohol and State Programs.

Medical Review Officer (MRO) means a licensed physician (medical doctor or doctor of osteopathy) responsible for receiving laboratory results generated by the Little Wound School's drug testing program who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual's confirmed positive test result together with their medical history and any other relevant biomedical information. The Medical Review Officer shall have the authority to make determinations of whether an employee positive test result is consistent with use of a medically prescribed controlled substance at dosages that were medically prescribed, in which case an employee will not be considered to have a positive test result.

Performing (a safety-sensitive function) means an employee is considered to be performing a safety-sensitive function and includes any period in which the employee is actually performing, ready to perform, or immediately available to perform such functions.

Prohibited drug means any controlled substance, including but not limited to, marijuana, cocaine, amphetamines, phencyclidine (PCP) and four semi-synthetic opioids (hydrocodone, oxycodone, hydromorphone, oxymorphone) for which the employee or job applicant does not have a valid medical prescription. Some common names for these semi-synthetic opioids include OxyContin®, Percodan®, Percocet®, Vicodin®, Lortab®, Norco®, Dilaudid®, .

Refuse to submit means that an employee fails to provide adequate breath for alcohol testing or a urine sample for drug testing without a valid medical explanation, or refuses to report to the collection site, after they have received notice of the requirement to be tested in accordance with the provisions of this part, or engages in conduct that clearly obstructs the testing process. A valid medical explanation must be supported by a statement from a licensed medical physician.

Safety-sensitive function means any of the following duties:

- a. Operating a vehicle;
- b. Operating a vehicle, when required to be operated by a holder of a Commercial Driver's License;
- c. Controlling dispatch or movement of a vehicle;
- d. Maintaining a vehicle or equipment used in service;
- e. Carrying a firearm for security purposes; or
- f. Performing a function, which potentially impacts the life, health, or safety of another person.

Screening test (or initial test). In drug testing, an immune-assay screen to eliminate "negative" urine specimens from further analysis. In alcohol testing, an analytic procedure to determine whether an employee may have a prohibited concentration of alcohol in a breath specimen.

Substance abuse professional (SAP) means a licensed physician (Medical Doctor or Doctor of Osteopathy), or a licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission), with knowledge of an clinical experience in the diagnosis and treatment of drug and alcohol related disorders.

Vehicle means a bus, van, or automobile.

Verified negative (drug test result) means a drug test result reviewed by a medical review officer and determined to have no evidence of prohibited drug use.

Verified positive (drug test result) means a drug test result reviewed by a medical review officer and determined to have evidence of prohibited drug use.

IV. Persons Subject to Testing

The following employees, who perform a safety-sensitive function, will be subject to alcohol and drug testing, pursuant to the federal government's Drug Free Workplace Policy.

1. All employees of the Little Wound School.
2. Any part-time, substitute, temporary employee and volunteers of Little Wound School if said employee or volunteer participates in school functions for more than two (2) weeks or supervises students overnight.
3. Any applicant selected for employment at Little Wound School.
4. Casual or occasional driver, leased and independent drivers whether leased or directly employed by Little Wound School.
5. All Little Wound School Board members (annually).

V. PROHIBITED SUBSTANCES

Substances that are prohibited and for which tests will be conducted are marijuana, cocaine, amphetamines, phencyclidine (PCP), and four semi-synthetic opioids (hydrocodone, oxycodone, hydromorphone, oxymorphone). Some common names for these semi-synthetic opioids include OxyContin®, Percodan®, Percocet®, Vicodin®, Lortab®, Norco®, Dilaudid®, Exalgo®.

Testing for alcohol will also be conducted.

VI. TESTING CATEGORIES

The Little Wound School Board shall establish a program which provides for testing for prohibited alcohol and drug use in the following circumstances:

- a. pre-employment
- b. post-accident
- c. reasonable suspicion
- d. random
- e. return to duty/follow up
- f. volunteer, as described in detail in the policy.

VII. PROHIBITIONS

1. On-duty use.

The LWS shall prohibit an employee from using prohibited alcohol and drugs while performing safety-sensitive functions. A supervisor having actual knowledge that an employee is using prohibited alcohol and drugs while performing safety-sensitive functions shall not permit the employee to perform or continue to perform safety-sensitive functions.

2. Pre-duty use.

- a. General. The LWS shall prohibit, whenever the school has actual knowledge, an employee from using prohibited alcohol and drugs prior to performing a safety sensitive function. A supervisor having actual knowledge that an employee has used prohibited alcohol and drugs prior to performing a safety sensitive function shall not permit the employee to perform or continue to perform safety sensitive functions.

Employees or applicants who are prescribed a controlled substance by a medical professional are required to report such information to the LWS Human Resources Department. LWS reserves the right to limit employee performance of safety sensitive functions by any employee who is taking a controlled substance for medical reasons when LWS determines that such prescriptions impair the employees ability to safely and effectively perform job functions. LWS will make every effort to provide its employees with reasonable accommodations that permit the employee to continue to perform their essential job functions.

- b. On-call employees: The LWS shall prohibit the use of alcohol and drugs for the specified on-call hours of each employee who is on-call. The procedure shall include:
 1. An on-call employee shall have the opportunity to acknowledge the use of alcohol or drugs at the time the employee is called to report to duty and the inability to perform their safety sensitive function.
 2. If the employee has acknowledged the use of alcohol or drugs, but claims ability to perform their safety sensitive function, the employee shall take an alcohol and/or drug test before performing a safety-sensitive function.
- c. Use Following An Accident: No employee required to take an alcohol or drug test following an accident may use alcohol for eight hours following the accident or until the employee has undergone the post-accident test.

VIII. TYPES OF TESTING

Pre-employment testing.

1. The LWS Board shall not hire an applicant to perform a safety sensitive function unless the applicant takes a drug test with a verified negative result administered under this policy.

A contract for employment shall be considered null and void in the event the selected individual has a verified positive test result. If an individual has been selected for employment, or offered employment, but the individual has not yet accepted such employment, the offer shall be considered as withdrawn immediately, and the selection shall be considered as canceled by LWS.

2. The LWS Board shall not transfer an employee into a bus driving position until the employee takes a drug test with a verified negative result administered under this policy.

3. If an applicant or employee drug test is canceled, the LWS shall require the employee or applicant to take another pre-employment drug test.
4. A refusal to submit to testing, failure to report to collection site after being notified, or adulteration of urine specimen will be considered a positive result.

The Little Wound School shall be responsible for the drug testing costs contained in this section. Only the Human Resources Director or designee may authorize a pre-employment test. Individuals who test under this section and have a verified positive test result shall not be permitted to retest or reapply for one year from the date of the positive pre-employment test.

Reasonable Suspicion testing.

1. The LWS shall conduct testing when a supervisor has reasonable suspicion to believe that the employee has used prohibited alcohol or drugs.
2. The determination that reasonable suspicion exists shall be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the employee. The required observations must be made by a supervisor who is trained in detecting the signs and symptoms of alcohol or drug use.

A reasonable suspicion may be based upon, but is not limited to, a supervisor's assessment/observation of the employee's decline in work performance, excessive employee tardiness and/or absenteeism, or an obvious decline in employee's personal appearance or character.

3. A refusal to submit to testing, or failure to report to collection site after being notified, or adulteration of urine specimen will be considered a positive result.

Employees are required to submit to hair follicle testing and a urine test based upon reasonable suspicion, except where there is only reasonable suspicion of alcohol use, or other circumstances that result in a determination that a hair follicle test is not required to determine whether controlled substance use in violation of this Policy is required, in which case only a urine test will be administered. The Human Resources Director shall make the determination of whether both hair follicle and urine tests are required, or only a urine test is required.

Determinations may only be made during, just preceding or just after performance of job duties. Such testing should occur as soon as possible; alcohol: by two (2) hours or within eight (8) hours of the determination; controlled substance: within thirty-two (32) hours of the determination.

The Little Wound School shall be responsible for the alcohol and drug testing costs contained in this section.

Post-accident/incident testing

Fatal accidents. As soon as possible following an accident/incident involving the loss of human life, the LWS shall test each surviving employee operating a vehicle for the LWS at the time of the

accident/incident. The LWS shall also test any other employee whose performance could have contributed to the accident/incident, as determined by the LWS using the best information available at the time of the decision.

Nonfatal accidents/incidents. As soon as practicable following an accident not involving the loss of human life, in which the vehicle involved, is a bus, van, or automobile, the LWS shall test each employee operating the vehicle for the school at the time of the accident/incident unless the school determines, using the best information available at the time of the decision, that the employee's performance can be completely discounted as a contributing factor to the accident/incident.

The LWS shall also test any other employee whose performance could have contributed to the accident/incident, as determined by the school using the best information available at the time of the decision.

- a. The driver received a citation for a moving traffic violation arising from the accident/incident.
- b. The LWS shall ensure that an employee required to be tested under this section is tested as soon as practicable but within 32 hours to test for prohibited drugs and 8 hours for alcohol.
 - i. If an alcohol test required is not administered within two hours following the accident/incident, the LWS shall prepare and maintain on file a record stating the reasons the test was not promptly administered.
 - ii. If an alcohol test required is not administered within 8 hours following the accident/incident, the LWS shall cease attempts to administer an alcohol test and shall maintain the same record.

An employee who is subject to post-accident/incident testing who fails to remain readily available for such testing, including notifying an authorized representative of LWS of their location, if the employee leaves the scene of the accident/incident prior to submission of such test, may be deemed by the LWS to have refused to submit to testing.

- c. Nothing in this section shall be construed to require the delay of necessary medical attention for the injured following an accident/incident or to prohibit an employee from leaving the scene of an accident/incident for the period necessary to obtain assistance in responding to the accident/incident or to obtain necessary emergency medical care.
- d. A refusal to submit to testing, or failure to report to collection site after being notified, or adulteration of urine specimen will be considered a positive result

Employees are required to submit to hair follicle testing and a urine test based, except where there is only reasonable suspicion of alcohol use, or other circumstances that result in a determination that a hair follicle test is not required to determine whether controlled substance use in violation of this Policy is required, in which case only a urine test will be administered. The Human Resources Director shall make the determination of whether both hair follicle and urine tests are required, or only a urine test is required.

The Little Wound School shall be responsible for the alcohol and drug testing costs contained in this section.

Random testing

- a. The minimum annual percentage rate for random drug testing shall be 50 percent and 50 percent for alcohol. There shall be a separate random pool for each of the following:
 1. regular employees
 2. bus drivers and CDL drivers.
 3. substitute, temporary, part-time and volunteer employees
- b. The selection of employees for random testing shall be made by a scientifically valid method. Under the selection process used, each employee shall have an equal chance of being tested each time selections are made.
- c. The medical vender shall randomly select a sufficient number of employees for testing during each calendar year to equal an annual rate not less than the minimum annual percentage rate for random testing.
- d. The LWS shall ensure that random tests conducted under this part are unannounced and that the dates for administering random tests are spread reasonably throughout the calendar year.
- e. The LWS shall require that each employee who is notified of selection for random testing proceeds to the designated collection site by designated appointment time; provided, however, that if the employee is performing a safety-sensitive function at the time of the notification, the LWS shall instead ensure that the employee ceases to perform the safety-sensitive function and proceeds to the collection site as soon as possible.

Notification of employees selected for random drug and/or alcohol selection will be made in accordance with the following procedure:

1. Random selection list is received by the program manager or designated person;
2. Notification letters are prepared by the program manager or designated person and identifies where to report, date and time of reporting for testing.
3. Notification letters are delivered by the program manager or designated person.
4. Employee verifies that notification was received by signing receipt of deliverance identifying date and time received.
5. Upon reporting to collection site, employee signs notification letter verifying that they reported to the collection site.
- f. An employee shall only be randomly tested while the employee is performing safety-sensitive functions; just before the employee is to perform safety-sensitive functions; or just after the employee has ceased performing safety-sensitive functions.

- g. In the event, an employee is unavailable for testing due to absence, lay-off period (summer), travel on a school sponsored activity or on pre-arranged leave, such test will be completed promptly upon employee's return to work.
- h. A refusal to submit to testing, failure to report to collection site on time after being notified, or adulteration of urine specimen will be considered a positive result.

The Little Wound School shall be responsible for alcohol and drug testing costs contained in this section.

Return to duty testing

The requirements of this section shall apply only to regular Little Wound School employees:

Return to duty. The LWS shall ensure that, before returning to duty to perform a safety-sensitive function, each employee who has refused to submit to a test or has a verified positive test result:

- (i) Has been evaluated by a substance abuse professional to determine whether the employee has properly followed the recommendations for action by the substance abuse professional, including participation in any rehabilitation program;
- (ii) Has taken a return to duty test with a verified negative result. If a test is canceled, the LWS shall require the employee to take another return to duty test.
- (iii) A substance abuse professional may recommend that the employee be subject to a return to duty breath alcohol test with a result indicating a breath alcohol concentration of less than 0.02, to be conducted in accordance with these procedures.

A refusal to submit to testing, or failure to report to collection site after being notified, or adulteration of urine specimen will be considered a positive result.

The employee shall be responsible for alcohol and drug testing costs included in this section.

Follow-up testing

The requirements of this section shall only apply to regular Little Wound School employees.

- a. Follow-up testing shall be conducted when the employee is performing safety-sensitive functions; just before the employee is to perform safety-sensitive functions; or just after the employee has ceased performing such functions.
- b. Following a determination that an employee is in need of assistance in resolving problems associated with drug or alcohol use, the LWS shall ensure that the employee is subject to unannounced follow-up testing as directed by a substance abuse professional in accordance with the provisions of this

policy. A refusal to submit to testing, or failure to report to collection site after being notified, or adulteration of urine specimen will be considered a positive result.

Notification of employee selected for follow-up drug and/or alcohol selection will be made in accordance with the following procedure:

1. Follow-up notice of testing is received by the program manager or designated person.
2. Employee notification letter is prepared by the program manager or designated person and identifies where to report, date and time of reporting for testing.
3. Notification letter is delivered by the program manager or designated person.
4. Employee verifies that notification was received by signing receipt of deliverance identifying date and time received.
5. Upon reporting to collection site, employee signs notification letter verifying that they reported to the collection site.
6. The employee is responsible for alcohol and drug testing costs included in this section.

Volunteer testing

Any employee may voluntarily submit to alcohol or drug testing at any time, however, any volunteer must agree that all testing shall comply with all provisions of this policy that apply after submitting. The employee shall be responsible for the alcohol and/or drug testing contained in this section.

IX. TESTING PROCEDURES

Testing shall be conducted in a manner to assure adherence to standards of confidentiality, privacy, accuracy, and reliability. The Little Wound School will establish a collection site and utilize an independent laboratory that conforms to all appropriate regulatory guidelines to ensure accuracy ~~of tests~~ for all tests conducted under this Policy. Persons reporting to the collection site for testing will be informed of the proper procedures for providing a specimen.

Employees who cannot take an urinalysis shall submit to a blood test at Pine Ridge ClinLab or other accepted laboratory.

Drug testing:

1. Urine shall be the required substance tested and will be collected under controlled circumstances.
2. Urine shall be divided into split specimens (2 collection containers) and each shall be labeled thoroughly to preserve identity.
3. Specimens are transported to a previously designated and approved testing lab.
4. Specimens undergo testing by an initial screening procedure which is followed by confirmation by (Gas chromatography/mass spectrometry GC/MS) testing, if necessary.

5. The urine is positive for a substance if the substance is present in an amount greater than the screening limits set by the laboratory.
6. A Medical Review Officer (MRO) will contact the donor if there is a positive result to verify the result.
7. The medical review officer gives the donor the option of testing the remaining split specimen at a lab of their choice and at their own expense.

Alcohol Testing:

1. Breath is tested for alcohol.
2. Test is conducted by a certified Breath Alcohol Technician (BAT).
3. Tests uses an approved Evidential Breath Testing (EBT) device.
4. The initial test must give a BAC results of less than 0.02 or a retest (confirmation) test must be done following a 15-minute wait.
5. If the confirmation reveals a BAC of greater than 0.039, the employee is in violation of the policy.

X. CONSEQUENCES FOR VIOLATIONS

The requirements of this section shall apply only to regular Little Wound School employees:

1. Action when employee has a verified positive test result.
 - a. As soon as practicable after receiving notice that an employee has a verified positive test result, or if an employee refuses to submit to a test, the LWS shall require that an employee or cease performing a safety-sensitive function.
 - i Employee shall be placed on administrative leave status not to exceed five (5) days, for the period of valuation and rehabilitation. An employee shall not delay participating in an assessment. Such assessments shall take place no later than one week after receiving notice of positive. The employee shall use their personal leave or leave without pay after five days of administrative leave.
 - b. Before allowing the employee to return to duty and resume performing a safety-sensitive function, the LWS shall ensure that the employee meet the requirements of this policy for returning to duty, including taking a return to duty test with a verified negative result.
 - c. Adulteration: Adulteration is the tampering of a urine specimen, or in the case of reasonable suspicion or post-accident testing, hair follicle specimen, in an attempt to mask any drug that may be otherwise detected. The Little Wound School will now have all specimens tested for

adulteration. If an employee's specimen is found to have been adulterated it will automatically be considered a positive test. However, an adulteration is considered pre-meditated actions to deceive the employer, therefore will be treated as a more severe violation of this policy than a positive test result. The consequences for adulteration will be immediate termination.

2. Referral, assessment, and treatment.

An employee who has a verified positive test result or refuses to submit to a test under this policy shall be advised by the LWS of the resources available to the employee in evaluating and resolving problems associated with prohibited alcohol or drug use, including the names, addresses, and telephone numbers of substance abuse professionals and counseling and treatment programs.

The LWS shall ensure that each employee who has a verified positive test result or refuses to take a test shall be evaluated by a substance abuse professional who shall determine whether the employee is in need of assistance in resolving problems associated with prohibited alcohol or drug use.

Assessment and rehabilitation may be provided by the LWS, by a substance abuse professional under contract with the LWS, or by a substance abuse professional not affiliated with the LWS. The choice of substance abuse professional and assignment of costs shall be made in accordance with LWS employee agreements and LWS Board policies.

The LWS shall ensure that a substance abuse professional who determines that an employee requires assistance in resolving problems with prohibited alcohol or drug use does not refer the employee to the substance abuse professional's private practice from which the substance abuse professional receives remuneration or to a person or organization from which the substance abuse professional has a financial interest. This paragraph does not prohibit a substance abuse professional from referring an employee for assistance provided through:

1. A public agency, such as a tribal, state, county, or municipality;
2. The LWS or a person under contract to provide treatment for prohibited alcohol or drug use problems on behalf of the LWS.
3. The sole source of therapeutically appropriate treatment under the employee's health insurance program; or
4. The sole source of therapeutically appropriate treatment reasonably accessible to the employee.

The LWS shall ensure that, before returning to duty to perform a safety-sensitive function, an employee has complied with the referral and Assessment provisions of this policy and takes a return to duty testing with a verified negative result.

3. Other alcohol-related conduct.

The LWS shall not permit an employee tested under the provisions of this policy who is found to have an alcohol concentration of 0.02 or greater but less than 0.04 to perform or continue to perform safety-sensitive functions, until:

The employee's alcohol concentration measures less than 0.02; or

The start of the employee's next regularly scheduled duty period, but not less than eight hours following administration of the test.

Except as provided in paragraph (a) above, the LWS shall not take any action under this policy against an employee based solely on test results, showing an alcohol concentration less than 0.04. This does not prohibit the LWS from taking any action otherwise consistent with law and LWS policies and procedures.

4. Termination.

An employee who refuses to participate in a rehabilitation referral, participate in the recommendations of the substance abuse professional or fails to successfully complete a required rehabilitation program will be terminated by the Little Wound School Board.

An employee, who has a second positive test result, after a negative return to duty test, may be terminated by the Little Wound School Board.

As soon as is practicable, after receiving notice that a temporary, substitute, part-time or volunteer has a verified positive test result, or refuse to submit to a test, the LWS shall terminate such individual immediately from any further service to LWS.

The temporary, substitute, part-time or volunteer shall not be permitted to provide services to the Little Wound School for one year from the date of the verified positive test result.

Substance Abuse Professional.

The LWS's alcohol and drug-free program shall have available the services of a designated substance abuse professional who shall work directly with the Little Wound HR Director.

The substance abuse professional shall determine whether an employee who has refused to submit to a test or has a verified positive test result is in need of assistance in resolving problems associated with prohibited alcohol and drug use. The substance abuse professional then recommends a course of action to the employee/Board member. The substance abuse professional shall determine whether an employee who has refused to submit to a test or has a verified positive test result has properly followed the SAP's recommendation.

The substance abuse professional shall determine the frequency and duration of follow-up testing for an employee. Such employee shall be required to take a minimum of six follow-up drug tests with verified negative results during the first 12 months after returning to duty. After that period of time, the substance abuse professional may recommend to the LWS the frequency and duration of follow-up testing, provided that the follow-up testing period ends 60 months after the employee returns to duty. In addition, follow-up testing may include testing for alcohol, as directed by the substance abuse professional, to be performed in accordance with this policy.

XI. GRIEVANCE

Any regular employee who has a grievance due to the application of this drug and alcohol testing policy may utilize the grievance policy.

XII. ADMINISTRATIVE REQUIREMENTS

1. Retention of records.

- a. General requirement. The LWS shall maintain records of its alcohol free program and shall be maintained in a secure location with controlled access.
- b. Period of retention. In determining compliance with the retention period requirement, each record shall be maintained for the specified period of time, measured from the date of the document's or data's creation. The LWS shall maintain the records in accordance with the appropriate regulatory requirements.

2. Access to facilities and records.

- a. Except as required by law, or expressly authorized or required in this section, the LWS may not release information pertaining to an employee that is contained in records required to be maintained.
- b. Any and all documents pertaining to an employee or school board member's alcohol and/or drug tests are property of Little Wound School and shall not be made available to anyone other than designated employees of Little Wound School.
- c. Any individual may make a written request to be tested for alcohol and drugs upon payment by money order at time of collection.
- d. The LWS shall permit access to all facilities utilized in complying with the requirements of this policy to any agency with regulatory authority over the LWS or any of its employees.
- e. The LWS shall disclose data without identifying names of employees for its drug and alcohol testing program and any other information pertaining to the LWS'S drug and alcohol free program required to be maintained by appropriate regulatory requirements, when requested by any agency with regulatory authority over the LWS or employee.
- f. Records shall be made available to a subsequent employer upon receipt of written request from the employee. Subsequent disclosure by the LWS is permitted only as expressly authorized by the terms of the employee's request.
- g. The LWS may disclose information required to be maintained under this policy pertaining to an employee to the employee or the decision maker in a lawsuit, grievance, or other proceeding initiated by or on behalf of the individual, and arising from the results of an alcohol test

administered under this policy (including, but not limited to, a worker's compensation, unemployment compensation, or other proceeding relating to a benefit sought by the employee.)

- h. The LWS shall release information regarding an employee's record as directed by the specific, written consent of the employee authorizing release of the information to an identified person. Release of such information by the person receiving the information is permitted only in accordance with the terms of the employee's consent.
- i. Little Wound School Alcohol and Drug Testing Program shall collect alcohol and drug specimens on Little Wound School employees and school board members and those organizations that have a Memorandum of Agreement (MOA) with Little Wound School for such services.

4.03 COMPULSORY SCHOOL ATTENDANCE

The Board shall adhere to Oglala Sioux Tribe compulsory school attendance law, which requires every child not exceeding the age of 18 years to be enrolled in a school system, unless otherwise prescribed by law. The Board interprets this law to mean that a child must be enrolled in any school system, not necessarily Little Wound School, if such child has been dropped or expelled.

The Board shall advise people in control of children of the Oglala Sioux Tribe compulsory school attendance laws and may appoint a Truant Officer to enforce the compulsory school attendance law.

Little Wound School and OST Public Safety will work together through a Memoranda of Understanding to improve attendance.

Little Wound School (LWS) has designated staff leadership and LWS Project AWARE to establish written agreements with community partners to improve student attendance and truancy response. Project AWARE organizes Trauma-Informed School Model activities, trainings and support services for students, staff and parents of LWS. Project AWARE of Little Wound School works to improve and increase access to mental health services for students and families. The school-based program works to change policy, systems and the school environment to promote mental and emotional well-being.

Under the MOU between LWS and OST Public Safety, LWS, Project AWARE of Little Wound School, and OST Public Safety will collaborate as members of the Wellness AWARE Task Force, work together to improve student school attendance and resource students in crisis through the Project AWARE 24/7 Emergency On-call and OSTDPS Dispatch systems.

- a. The above goals will be accomplished by undertaking the following activities:
- b. Attend monthly Task Force meetings to the best of partner's ability.
- c. Presentations of information on services provided by Project AWARE.
- d. Presentations of information on services provided by Oglala Sioux Tribe Department of Public Safety.

- e. Participation in trainings offered by partners, when available.
- f. Discuss areas needed for improvement in service provision.
- g. Collaborate and understand the Lakota Healing Informed/Trauma Informed School model to become better relatives to students.
- h. Refer students and families for counseling services, respecting confidentiality and student privacy.
- i. Share advertising for task force partners cultural & educational opportunities for youth, staff and families.
- j. Refer parents to parenting support groups.
- k. Refer students to Project AWARE counselors.
- l. LWS will adhere to the following, found in section 4.03 COMPULSORY SCHOOL ATTENDANCE in the Little Wound Policies and Procedures Handbook:

The Board shall adhere to Oglala Sioux Tribe compulsory school attendance law, which requires every child not exceeding the age of 18 years to be enrolled in a school system, unless otherwise prescribed by law. The Board interprets this law to mean that a child must be enrolled in any school system, not necessarily Little Wound School, if such child has been dropped or expelled. All school personnel shall cooperate in the enforcement of the compulsory school attendance laws. A one day absence is equal to the number of periods that attendance is taken per day. Each school will identify the number of class periods annually.

All school personnel shall cooperate in the enforcement of the compulsory school attendance laws. In the event of a nationally declared emergency or pandemic, the School Board reserves the right to temporarily suspend or modify School attendance policies.

If any child has been expelled or is no longer enrolled at Little Wound School, then the Little Wound School has no obligation to readmit the child, even if the child has been ordered back to school pursuant to a court order.

In accordance with the State of South Dakota school accreditation standards and the Oglala Sioux Tribe mandatory school attendance policy, Little Wound School has adopted and adheres to the following policies and procedures:

If applicable to Little Wound School, then the School will comply with the Individuals with Disabilities Education Act in all attendance issues that involves a student with disabilities. (ref. IDEA)

Upon receipt of a signed written request or phone, email or text notification from the parents/guardian, the respective Principal may grant the student an excused absence from school or class for:

- a. Illness of the student or member of the immediate family requiring the student's care; If a student will be absent due to illness for three days or more, a doctor's statement will be required.
- b. Death of a member in the immediate family.
- c. Doctor or dental appointments that cannot be met during non-school time (requires a doctor's statement verifying student being seen on the date of absence.
- d. Emergency road conditions that endanger the safety of transporting students to school;
- e. Attendance at school-related activities when school authorities request such attendance;

- f. Other justifiable reasons authorized and approved by the respective Principal or their designee.

The Consequences for unexcused absences are listed below:

A one day absence is equal to the number of periods that attendance is taken per day. Each school will identify the number of class periods annually. OSTDPS may refer LWS students for counseling through Project AWARE. A 24/7 Emergency on-call system supports Little Wound School students, staff and families in crisis. It is available to receive referrals at 605-454-4187.

~~Ten (10) tardies shall be equal to one day of absence.~~

1. One (1) missed day* without an excuse.

- a. The school will send an electronic and voice message out to the parent/guardian to the parent/guardian contact information provided to the school.

2. Three (3) missed days* without an excuse.

- a. A staff member of the school or liaison will make an attempt to contact the parent/guardian. (face to face, and letter)
- b. Required Parent/Guardian meeting with the Dean and/or counselor to discuss student's attendance, review school policy on attendance and sign attendance agreement. (if meeting is missed, will attempt to reschedule, and then proceed to next step)
- c. Administrator/Counselor may assign appropriate interventions, including but not limited to, a home visit by a school liaison or official.

To improve student attendance support, after 3 days, Little Wound School staff, including school secretaries and truancy officers will work with OSTDPS to conduct a welfare check on LWS students. After all administrative remedies are exhausted, LWS staff will complete and submit the Student Truancy Referral Form and submit to the Office of the Attorney General: OST Attorney General's Office. PO Box 1995, Pine Ridge, SD 57770 605.867.5141 ext. 5108. With this referral form, LWS staff must answer the reason for referral, attach supporting documentation and explain the exhaustion of administrative remedies. Staff will report to OSTDPS to perform a welfare check on the student.

3. Any student whose overall attendance falls below 70% and/or 5 days* per quarter without an approved documented excuse will be dropped automatically.

- a. A letter will be sent informing the parent/guardian of their student being dropped from the attendance rolls for excessive absenteeism.
- b. Copies will be sent to the Tribal Prosecutor and any other appropriate agencies.

Consecutive Days Absent: LWS will comply with applicable federal regulations on the consequences for consecutive days absence and dropping a student from enrollment. Any student missing ten (10)

~~consecutive days of school without good cause will be automatically dropped from the rolls of the school for the balance of the semester.~~

Maintaining an accurate record of student attendance is vital to the implementation of this policy. Therefore, teachers who fail to consistently enter their attendance on a daily basis. ~~Failure to fulfill these duties~~ may ~~result in~~ be subject to discipline up to and including termination.

Reinstatement Policy: A student who has been dropped for absenteeism may be reinstated if the following criteria are met:

1. Parents/guardians request and attend a conference with the Dean of Students within three days after receiving notification of their student being dropped from school.
2. Parents/guardians must show reasonable cause for the student's absenteeism. Student may reenroll with approval by the principal.
3. At the time of the dismissal, the student must have passing grades in all subjects.
4. A student who is reinstated must sign an attendance contract and it must be clearly understood that missing even one class period could result in the reinstated student being dropped ~~from school for the balance of the semester.~~
5. There are no appeals for dismissal resulting from breaking the terms of the attendance contract. Student will be eligible to re-enroll ~~at the beginning of the next semester.~~ at the sole discretion of the Superintendent.

Tutoring: Students may receive tutoring in areas of study that may be having problems. This program is designed to improve student's study habits.

Intervention: Strategies to improve student attendance and behavior may be made available to students. (i.e., group counseling)

After School Program: The Little Wound High School's After School Programs designed to improve attendance, study skills and student behavior.

4.19 STUDENT CONDUCT/DISCIPLINE EXPECTATIONS

Students are expected to adhere to Lakota Values and conduct themselves in a respectful manner while at school or school related activities. The student is responsible for learning the following rules that govern the activities of the school environment. Unacceptable behavior by the student will result in immediate disciplinary action by the respective Principal or designee deemed developmentally appropriate by offense.

1. Students will follow good health and safety practices at all times, at school and at school related activities.

2. Students will attend and be on time for all scheduled classes.
3. Students will return home at the end of the school day.
4. Students are responsible for care and cleanliness of school property.
5. Students will adhere to all reasonable requests.
6. Students will adhere to school dress code. (Ref. 4.24)
7. Students will adhere to internet usage policy. Students will adhere to the electronic mail policy.
8. Students shall not exhibit inappropriate displays of affection.
9. Students will neither cause damage to nor steal school or other's personal property.
10. Students will respect the rights of others while at school or school related activities, and shall not interfere with efforts of instructional staff to implement a learning program, nor shall they interfere with the learning of other students.
11. Students will not endanger the life, health, or safety of themselves or others while at school or school related activities.
12. Students will remain on the school campus during the school day unless they have signed written permission to leave from the respective Principal.
13. Students will not communicate threatening, abusive, or obscene language or gestures, possess obscene material while at school or school related activities. Bullying is unacceptable. Bullying is the act of intentionally causing emotional, mental and physical harm to others, through verbal harassment, physical assault, coercion through electronic digital methods or other more subtle methods of coercion such as manipulation. Disciplinary actions will follow the procedures as outlined for a major offense.
14. Students will not instigate or participate in a fight while at school or school related activities.
15. Students will not smoke cigarettes or possess any tobacco products while at school or at school related activities.
16. Alcohol or illegal drug possession and use are strictly prohibited while on school grounds or school related activities.
17. Any gang related colors, tagging, or gang activity will not be allowed.

Disciplinary Procedures for Identified Infractions (K-12)

Behavioral Expectations

The Little Wound School District is committed to providing a safe learning environment for all students, employees, volunteers and community that is free from harassment, intimidation or bullying.

It is expected that all staff send a clear message to students and staff that bullying in the schools, on school grounds, on the buses or at school sponsored activities will not be tolerated and will be grounds for disciplinary action up to and including suspension and expulsion for students and termination for employees.

Little Wound School will promptly and reasonably investigate allegations of harassment, including bullying. The principal or the principal's designee will be responsible for handling all complaints by students alleging harassment, including bullying.

Administrator or designee must take action on a report of harassment/bullying within three days from receipt of incident report form to administration.

Each school or facility will have a structured reporting system in place to report any act of bullying.

The staff is required to and must report in writing any allegation of bullying or violations of this policy to the principal or the principal's designee on the office referral form. Failure to report will result in disciplinary action. Members of the school community who have credible information that an act of bullying/harassment has taken place may file a incident/complaint report form as a witness, or as a victim on school grounds, during school related functions.

The procedure of investigating school- based bullying/harassment may include the administrator, counselor, or designated staff. The person shall begin a thorough investigation and interview with the complainant, the accused, and any witnesses within two school days of receiving the office referral form. During the investigation this person may take any action necessary to protect the complainant and other students or employees. A decision by the administrator shall be completed within ten (10) school days about the validity of the allegations and about any corrective action to be taken.

No retaliation of any kind is permitted in connection with an individual having made a bullying/harassment complaint and if it occurs it shall be deemed an additional act of bullying/harassment.

Disciplinary consequence for a person who commits bullying/harassment will follow the written policy, which may range from a positive behavioral intervention, to suspension and/or expulsion or termination.

An employee shall be disqualified from participation in any student disciplinary action for a member of the employee's immediate family. "Immediate family member is defined in 3.16".

An employee has the discretion to recuse self from disciplinary action if that person is a *hunka* relative.

Student Infractions

STUDENT INFRACTIONS

If a student's actions require an out-of-school suspension (OSS), parents will be notified by phone call and in writing. Parents/guardians will have complete custody and jurisdiction of their child during the suspension. Schoolwork for out-of-school suspensions will be assigned by administration through the office. If students need assistance while completing the work, it is the family's responsibility to contact administration so arrangements can be made to provide assistance.

A student who is suspended cannot be on any Little Wound School property or at any school sponsored activities during the suspension time. If a student is directed by administration to be on school grounds for academic assistance all necessary parties will be notified.

The following definitions help to explain student infractions:

Abusive or Threatening Language

Any communication that includes swearing, name-calling or use of words which immediately creates fear of harm. This is completed without displaying a weapon and without subjecting the victim to actual physical attack.

Arson

Student plans and/or participates in malicious burning of school or personal property. The damage, or attempted damage, is intentional and unlawful. The fire may be started with any type of incendiary device.

Assault

One student intentionally causes or attempts to cause physical bodily harm to another individual (staff or student). These actions differ from fighting in that the second individual does not participate.

Bullying Behaviors

Bullying is considered to be severe, persistent, or pervasive in that it creates an intimidating or threatening environment and has the effect of substantially disrupting the orderly operation of the school. Bullying and harassment are major distractions from learning and both the victim and the perpetrator suffer significant negative consequences when engaged in this type of anti-social behaviors. The learning experience of victims can suffer, and fear can lead to chronic absenteeism, truancy, dropping out of school, or other serious acts.

Bullying is defined as the act of one or more individuals intimidating one or more persons negatively and/or over time through verbal, physical, mental, cyber, or written interactions and those persons have difficulty defending themselves. Bullying may take many forms and can occur in any setting. It can create insecure and unwarranted anxiety that will affect the learning and social environment in a school.

Examples of bullying include, but are not limited to:

- Intimidation – either physical or psychological
- Threats of any kind – stated or implied
- Assaults on students – including those that are verbal, physical, psychological and emotional
- Attacks on student property
- Cyber / text messaging

Cyber stalking

Cyber stalking is the act of communicating words, images, or language through the use of electronic mail or electronic communication directed at or about a specific person causing substantial emotional distress to that person and serving no legitimate purpose.

Cyber bullying

Cyber bullying is the willful and repeated harassment and intimidation of a person through the use of digital technologies including but not limited to email, blogs, social website, chat rooms and instant messaging, distribution of photographs; recurring harassment; and recording physical, mental, and/or emotional violence or incidents.

Users are responsible for the appropriateness of the material they transmit. Hate mail, harassment, discriminatory remarks, or other anti-social behaviors are expressly prohibited. Cyber bullying includes, but is not limited to the following misuses of technology; harassing, teasing, intimidating, threatening, or terrorizing another person by sending or posting inappropriate and hurtful email messages, instant messages, text messages, digital pictures or images, or web site postings, including blogs. It is also recognized that the author (poster or sender) of the inappropriate material is often disguised (logged on) as someone else.

In situations in which cyber bullying originated from a non-school device, but brought to the attention of school officials, any disciplinary action shall be based upon whether the conduct is determined to be disruptive of the educational process so that it disrupts or impedes the day-to-day operations of the school. In addition, such conduct must also violate a school policy. Such conduct includes, but is not limited to, threats, or making a threat off school grounds, to harm a member of the school staff or a student.

Chronic Tardies

~~Five or more tardies during a semester within the same class period. Ten (10) tardies will equal one day of absence.~~ The act of being repetitively late for class.

Disrespect/Insubordination/Non-compliance

Repeated refusal to follow directions, repeatedly talking back, and/or socially rude interactions. Students who defiantly swear or use profanity at staff members or adults will receive an automatic office referral.

Disruption of Learning Environment

Objectionable acts or conduct that are in violation of the rules of the classroom and/or school which threaten the ability to perform educational activities of learning.

Domestic Abuse

Domestic abuse is defined as a pattern of behavior in any relationship that is used to gain or maintain power and control over an intimate partner. Abuse is physical, sexual, emotional, economic or psychological actions or threats of actions that influence another person.

Dress Code Violation

The wearing of clothing that does not fit within the dress code guidelines.

Encouraging a Conflict

Behavior encouraging two (2) or more students to engage in physical contact/verbal conflict while not being directly involved in the conflict.

Electronic Cigarette (E-Cigarette), Vapor Pens

The electronic cigarette also known as an e cigarette, an e cig, an electric cigarette, or a smokeless cigarette. An electronic device that is used to turn an oil-nicotine solution into vapor. The nicotine vapor produced looks, taste, and feels like cigarette smoke.

False Fire Alarm/Bomb Threat

Student deliberately triggers the fire alarm or delivers a message/threat of a pending fire. Student delivers message of possible explosive materials being on-campus, near campus, and/or pending explosion.

Fighting

Actions involving serious physical contact where injury may occur. Students are mutually participating in the conflict. There is no one main offender and no major injury. Examples may include the following: hitting, punching, hitting with an object, kicking, hair pulling, scratching, etc. These actions differ from assault in that both individuals are participants.

Forgery/Theft

Student is in possession of, having passed on, or being responsible for removing someone else's property. This also includes signing a person's name without the person's permission.

Gang Affiliation

Any student who: admits being in or affiliated with a gang, frequents place of known gang members, accompanies known gang members, and/or recruits another by intimidation or force.

Harassing Behaviors

Harassment is defined as threatening, insulting, and dehumanizing gestures, use of technology, computer software or written, verbal or physical conduct directed against a student or employee that places a student or employee in reasonable fear of personal harm or damage to their property. Harassment has the effect of substantially interfering with a student's education performance or an employee's work performance, opportunities, or benefits. It also has the effect of substantially negatively impacting a student or employee's emotional or mental well-being and substantially disrupting the orderly operation of the school.

Hazing

Hazing is an activity expected of someone joining a group (or to maintain full status in a group) that humiliates, degrades or risks emotional and/or physical harm, regardless of the person's willingness to participate.

Indecent Exposure

The deliberate exposure in public or in view of the general public by a person of a portion or portions of a person's body, in circumstances where the exposure is contrary to local moral or other standards of appropriate behavior.

Inappropriate Display of Affection

Student engages in inappropriate verbal and/or physical gestures/contact of a sexual nature with another student. These actions are consensual (without force or threat of force) but are not appropriate to the environment.

Larceny

The unlawful taking of another person's property without threat, violence or bodily harm. This differs from robbery in that larceny does not involve a threat or battery.

Possession or Use of Alcohol

Student is in possession of alcohol or is using alcohol.

Possession or Use of Drugs

Students in possession of illegal drugs/substances, is using illegal drugs/substances, or is under the influence of illegal drugs/substances. This also includes imitations. The selling, manufacturing, or distributing of illegal drugs/substances is considered being in possession or use of drugs.

Possession or Use of Inhalants

Student is in possession of inhalants or is under the influence of inhalants. This includes "huffing" or inhaling mind-altering substances.

Possession or Use of Weapons

Students in possession of knives or guns (real or look alike) or other objects designed or converted to cause bodily harm. This also covers a device designed as a weapon capable of threatening or producing bodily harm or death. A firearm must expel a projectile by the action of an explosive or a propelled object.

Robbery/Theft

Taking, or attempting to take, anything of value that is owned by another person or organizations. Items are taken under confrontational circumstances by violence, force, or threat of force. This differs from larceny in that robbery involves threat or battery.

Skiping/Truancy

Student leaves class/school without permission or stays out of class/school without permission.

Stealing

Student intentionally takes personal property of another without permission or consent.

Technology/Electronic Device Violation

Student engages in inappropriate use of cell phone, pager, music/video players, camera, and/or computer.

Tobacco

Student is in possession of tobacco or is using tobacco. The selling or distribution of tobacco products is considered being in possession of tobacco.

Vandalism

Student participates in an activity that results in substantial destruction, disfigurement, or defacement of school or personal property. This destruction is willful and/or malicious. Tagging is considered to be an act of vandalism.

CONSEQUENCES

In order for students to return to school after an out-of-school suspension (OSS), they must be accompanied by a parent/guardian. The student and family must meet with administration. The student may be required to go through peer mediation or conflict resolution upon return and/or review the established social skills plan. Depending on the severity of the incident, appropriate authorities may be notified. The following will be the set disciplinary policy that will be enforced by each school and followed through by the Little Wound School Board.

In School Suspension may be a time that the Deans of Students may require the implementation of an alternative consequence curriculum.

A long-term suspension is defined as a suspension up to ten (10) days, unless the long term suspension falls under IDEA.

Individuals with Disabilities Education Act (IDEA): If applicable to LWS, then the School will comply with the Individuals with Disabilities Education Act in all disciplinary actions that involves a student with disabilities. (ref. IDEA)

NATURE OF OFFENSE	CONSEQUENCES: The TOTAL number of offenses in any section will be used to determine the appropriate consequence.
REMOVE Bullying Behaviors Cyber Bullying or Stalking Hazing	<u>Consequences for Middle & High School</u> 1 st Offense: 1 day I.S.S. and a plan must be created outlining how the behavior will change. The plan will be reviewed and signed by all parties involved. The plan will also list supports that student/staff need from the school.

	<p>2nd Offense: 3 days O.S.S. Administrator or their designee will work with student exhibiting bullying/harassing behavior and the parents/guardians to review, update and modify the behavior plan.</p> <p>3rd Offense: Any further bullying offenses will result in recommendation for long-term suspension or an expulsion hearing. Referrals will be filed with local law enforcement.</p> <p>REMOVE</p> <p><u>Consequences for Elementary</u></p> <p>1st Offense: A plan must be created with the student outlining how the behavior will change in the future. The plan will be reviewed and signed by all parties involved. In addition, a verbal warning will be issued. Parent will be notified of the offense.</p> <p>2nd Offense: 1 day I.S.S. plus review and modification of plan. Parent will be notified of the offense.</p> <p>3rd Offense: 3 days I.S.S. with review and modification of the plan. Parent will be notified of the offense.</p> <p>4th Offense: 5 days I.S.S. with conference with parent and/or guardian. Any further offenses will result in recommendation for long term suspension or placement in alternative school setting.</p>
Bullying Behaviors	<p><u>ADD</u></p> <p><u>Consequences for Middle & High School</u></p> <p><u>1st Offense: 1 day I.S.S. and a plan must be created outlining how the behavior will change. The plan will be reviewed and signed by all parties involved. The plan will also list supports that student/staff need from the school.</u></p> <p><u>2nd Offense: 3 days O.S.S. Administrator or their designee will work with student exhibiting bullying/harassing behavior and the parents/guardians to review, update and modify the behavior plan.</u></p> <p><u>3rd Offense: Any further bullying offenses will result in recommendation for long-term suspension or an expulsion hearing. Referrals will be filed with local law enforcement.</u></p> <p><u>ADD</u></p> <p><u>Consequences for Elementary</u></p> <p><u>1st Offense Step 1: Meet with the student to visit and assess students' understanding of bullying. Assign three (3) meetings with the Sacred Safe Classroom Teacher, to strengthen the students understanding of bullying.</u></p> <p><u>2nd Offense Step 2: Provide the student with a plan on how the bullying behavior will change. Plan will be reviewed and signed by the student, caretaker, DOS and the Principal. Student will meet with the School Counselor three (3) times to review and follow-up on the plan.</u></p> <p><u>3rd Offense Step 3: Continued bullying offenses will result in recommendation for long term intervention plan with the Sacred Safe</u></p>

	<u>Classroom Teacher, School Counselor, parents/guardians, and a member of the Project Aware Staff.</u>
Chronic Tardies	<p><u>ADD</u></p> <p><u>Consequences for Middle & High School</u></p> <p><u>1st Offense: A plan must be created with the student outlining how the behavior will change in the future. The plan will be reviewed and signed by all parties involved. In addition, a verbal warning will be issued.</u></p> <p><u>2nd Offense: 1 day I.S.S. plus review and modification of plan.</u></p> <p><u>3rd Offense: 3 days I.S.S. with review and modification of the plan.</u></p> <p><u>4th Offense: 5 days I.S.S. with conference with parent and/or guardian.</u></p> <p><u>Any further offenses will result in recommendation for long-term suspension or placement in alternative school setting.</u></p> <p><u>Consequences for Elementary</u></p> <p><u>Step 1: 1-5 tardies Parent Notification written/phone.</u></p> <p><u>Step 2: 6-10 tardies Parent/Student will sign a Tardy Contract.</u></p> <p><u>Step 3: 11-15 tardies Referral to Project Aware/Counselors.</u></p> <p><u>Step 4: 16-30 tardies Referral to the court system and/or CPS.</u></p>
Inappropriate Display of Affection Skipping/Truancy Tobacco E-Cigarettes, Vapor Pens	<p>1st Offense: A plan must be created with the student outlining how the behavior will change in the future. The plan will be reviewed and signed by all parties involved. In addition, a verbal warning will be issued.</p> <p>2nd Offense: 1 day I.S.S. plus review and modification of plan.</p> <p>3rd Offense: 3 days I.S.S. with review and modification of the plan.</p> <p>4th Offense: 5 days I.S.S. with conference with parent and/or guardian.</p> <p>Any further offenses will result in recommendation for long-term suspension or placement in alternative school setting.</p>
Leaving Campus without permission	<p><u>ADD Consequences for Middle & High School</u></p> <p>1st Offense: Notify parents and law enforcement. The plan will be reviewed and signed by all parties involved. In addition, a verbal warning will be issued.</p> <p>2nd Offense: Notify parents and law enforcement. 1 day I.S.S. plus review and modification of plan.</p> <p>3rd Offense: Notify parents and law enforcement. 3 days I.S.S. with review and modification of the plan.</p> <p>4th Offense: Notify parents and law enforcement. 5 days I.S.S. with conference with parent and/or guardian.</p> <p>Any further offenses will result in recommendation for long-term suspension or placement in alternative school setting.</p>

	<p><u>ADD</u> <u>Consequences for Elementary</u> <u>1st Offense Step 1: Notify parents and School Security, verbal warning will be issued.</u> <u>2nd Offense Step 2: Notify parents to attend a meeting with the Intervention team (SSCT, SC, DOS and the Principal) develop a plan.</u> <u>3rd Offense Step 3: Review and modify the plan, assign the student to five (5) sessions with the SSCT to work on steps to change the behavior.</u></p>
Technology/ Electronic Device Violation	<p><u>ADD Consequences for Middle & High School</u> 1st offense: teacher/staff warning to student 2nd offense: PED privileges lost for the day; PED taken and given to security. 3rd offense and beyond: loss to PED privileges; violations will be treated as defiance and insubordination and further disciplinary consequences will be applied using administrative discretion. <u>ADD</u> <u>Consequences for Elementary</u> <u>1st Offense Step 1: Notification to the parent or guardian and school staff. Verbal warning to stop the behavior.</u> <u>2nd Offense Step 2: Personal Electronic Device will be turned into the Deans of Students office. Notify the parent or guardian of the action taken.</u> <u>3rd Offense Step 3: Student will not be allowed to bring Personal Electronic into the school/classroom. Further disciplinary actions may be applied using administrative discretion.</u></p>
Gang Affiliation	<p>1st offense: 3 days in ISS. Law enforcement will be called. Time in ISS will be spent going over the Tribal Gang Ordinance & Curriculum of prevention and intervention. Referral to the counselor. Parents/guardians will be called in to do a behavior plan and contract with the Dean of Students & provided the Gang Ordinance. 2nd offense: 5 days O.S.S.. Law enforcement will be called. Parents/guardians called. If repeat offender and violation of behavior contract, recommendation for long term suspension and/or expulsion.</p>
Abusive or Threatening Language Encouraging a Conflict Disruption of Learning Environment	<p><u>ADD Consequences for Middle & High School</u> 1st Offense: 1 day I.S.S. and a plan must be created outlining how the behavior will change. The plan will be reviewed and signed by all parties involved. The plan will also list supports that student/staff need from the school. 2nd Offense: 3 days I.S.S. Parent and/or guardian must accompany the student to school at the completion of the I.S.S. time to create a new student success plan. 3rd Offense: 5 days I.S.S.</p>

	<p>4th Offense: Any further offenses will result in the recommendation for long-term suspension or an expulsion hearing. Referrals will be filed with local law enforcement.</p> <p><u>ADD</u></p> <p><u>Consequences for Elementary</u></p> <p><u>1st Offense - Meet with the student to understand the situation that occurred that brought on this behavior. Create a plan outlining how the behavior will change in the future.</u></p> <p><u>2nd Offense - Meet with School Counselor to review plan and modify plan as needed.</u></p> <p><u>3rd Offense - Referral to Project Aware for Counseling and Family Intervention.</u></p>
Disrespect/ Insubordination/Non-compliance	<p>1st Offense: 1 day I.S.S. and a plan must be created outlining how the behavior will change. The plan will be reviewed and signed by all parties involved. The plan will also list supports that student/staff need from the school.</p> <p>2nd Offense: 3 days I.S.S. Parent and/or guardian must accompany the student to school at the completion of the I.S.S. time to create a new student success plan.</p> <p>3rd Offense: 5 days I.S.S.</p> <p>4th Offense: Any further offenses will result in the recommendation for long-term suspension or an expulsion hearing. Referrals will be filed with local law enforcement.</p>
Harassing Behaviors	<p><u>ADD Consequences for Middle & High School</u></p> <p>1st Offense: 1 day I.S.S. and a plan must be created outlining how the behavior will change. The plan will be reviewed and signed by all parties involved. The plan will also list supports that student/staff need from the school.</p> <p>2nd Offense: 3 days I.S.S. Parent and/or guardian must accompany the student to school at the completion of the I.S.S. time to create a new student success plan.</p> <p>3rd Offense: 5 days I.S.S.</p> <p>4th Offense: Any further offenses will result in the recommendation for long-term suspension or an expulsion hearing. Referrals will be filed with local law enforcement.</p> <p><u>ADD</u></p> <p><u>Consequences for Elementary</u></p> <p><u>1st Offense Step 1: Dean of student will meet with the student to assess the incident. Verbal Warning. Parents/guardian notification.</u></p> <p><u>2nd Offense Step 2: Student and parent/guardian will meet with the Intervention team to develop an improvement plan.</u></p>

	<u>3rd Offense Step 3: Revisit and revise the improvement plan to be inclusive of a referral to the SSCT for five (5) days to work on changing the behavior.</u>
Dress Code	<p><u>ADD Consequences for Middle & High School</u></p> <p>1st Offense: 1 day I.S.S. and a plan must be created outlining how the behavior will change. The plan will be reviewed and signed by all parties involved. The plan will also list supports that student/staff need from the school.</p> <p>2nd Offense: 3 days I.S.S. Parent and/or guardian must accompany the student to school at the completion of the I.S.S. time to create a new student success plan.</p> <p>3rd Offense: 5 days I.S.S.</p> <p>4th Offense: Any further offenses will result in the recommendation for long-term suspension or an expulsion hearing. Referrals will be filed with local law enforcement.</p> <p><u>ADD</u> <u>Consequences for Elementary</u></p> <p>1st Offense Step 1: Inform student of the proper school dress code. Verbal warning/reminder.</p> <p>2nd Offense Step 2: Meeting with student and parent/caretaker to provide information on proper dress code for school.</p>
Assault Domestic Abuse	<p>1st Offense: Result in recommendation for long-term suspension or an expulsion hearing. Referrals will be filed with local law enforcement.</p>
Fighting Robbery	<p><u>ADD Consequences for Middle & High School</u></p> <p>1st Offense: 5 days O.S.S. Parent and/or guardian must accompany the student to school at the completion of the O.S.S. time to create a plan for student success.</p> <p>2nd Offense: 7 days O.S.S. Parent and/or guardian must accompany the student to school at the completion of the O.S.S. time to update plan for success.</p> <p>3rd Offense: Result in recommendation for long-term suspension or an expulsion hearing. Referrals will be filed with local law enforcement.</p> <p><u>ADD</u> <u>Consequences for Elementary</u></p> <p><u>1st Offense Step 1: Meet with the student to visit and assess the incident. Parents/guardian notification.</u></p> <p><u>2nd Offense Step 2: Conflict resolution meeting with the students involved. Plan developed with the intervention team (SSCT, SC, DOS and Principal.)</u></p>

	<u>3rd Offense Step 3: Plan reviewed and modified, student assigned to the Sacred Safe Classroom for five (5) days.</u> <u>4th Offense Step 4: Intervention team will meet with the student and parent/guardian to develop an anger management plan.</u>
Stealing	<u>ADD</u> <u>Consequences for Elementary</u> <u>1st Offense Step 1: Student meeting to access the behavior.</u> <u>Parent/guardian notification of the stealing incident. Verbal warning.</u> <u>2nd Offense Step 2: Assign three (3) sessions with the SSCT to work on teaching the student why stealing is wrong.</u> <u>3rd Offense Step 3: The intervention team will develop a long term intervention plan with the student and parent/guardian.</u>
Possession or Use of Alcohol Possession or Use of Drugs Possession or Use of Inhalants	1 st Offense: 5 days O.S.S and referral to local law enforcement. Referral to Project Aware to for drug and alcohol assessment and plan. Student must return with parent/guardian with the drug and alcohol assessment plan in order to be re-admitted back to school. A behavior plan and assessment plan will be followed up with counseling team. *Any subsequent violations will result in long-term suspension or an expulsion hearing. Referrals will be filed with local law enforcement.
Possession or Use of Weapons, including tasers, knives, or other weapons	<u>ADD Consequences for Middle & High School</u> 1 st Offense: Any violation may result in a long-term suspension or an expulsion. Referrals may be filed with local law enforcement. <u>ADD</u> <u>Consequences for Elementary</u> <u>1st Offense Step 1: Dean of students will meet with the student to assess the incident. Parent/guardian notification. Verbal warning.</u> <u>2nd Offense Step 2: Referral to the school counselor for a meeting with the student and the parent/guardian notification.</u> <u>3rd Offense Step 3: Assign student to three (3) sessions with the SSCT.</u>
False Fire Alarm	1 st Offense: Referral to counselors 2 nd Offense: 3 days O.S.S 3 rd Offense: 5 days I.S.S. 4 th Offense: Any further offenses will result in the recommendation for long-term suspension or an expulsion hearing. Referrals will be filed with local law enforcement.

Bomb Threat Arson	1 st Offense: Result in an expulsion hearing. Referrals will be filed with local law enforcement.
Forgery Larceny Vandalism Robbery/Theft	1 st Offense: 5 days O.S.S. Parent and/or guardian must accompany the student to school at the completion of the O.S.S. time to create a plan for student success. *Any subsequent violations will result in a long-term suspension or an expulsion hearing. Referrals will be filed with local law enforcement.
ADD Vandalism	<u>ADD Consequences for Middle & High School</u> 1 st Offense: 5 days O.S.S. Parent and/or guardian must accompany the student to school at the completion of the O.S.S. time to create a plan for student success. *Any subsequent violations will result in a long-term suspension or an expulsion hearing. Referrals will be filed with local law enforcement. <u>ADD</u> <u>Consequences for Elementary</u> <u>1st Offense Step 1: Student will meet with the dean of students to assess the incident. Verbal Warning</u> <u>2nd Offense Step 2: Meeting with student and parent/guardian notification</u> <u>3rd Offense Step 3: Student will be required to restore, repay or replace the item.</u>
Indecent Exposure	1 st offense – 5 day O.S.S. Parent is required to meet with dean of students with their student prior to student returning from O.S.S. to develop a plan on how the behavior will change. Any further offenses will result in a recommendation for long term suspension/expulsion pending a board hearing. Referrals will be done to appropriate agencies including, law enforcement and LOWO.

The Little Wound School Board reserves the right to suspend or expel a student as per Policy.

The Dean of Students or Principal may refer students to the counselor at any point during the disciplinary process for the above offenses.

- When a student is referred to a counselor for any of the above behavior offenses:
- Dean of Students or Principal will notify parent/guardian of counseling referral Counselor may make any of the following recommendations according to the student's individual needs:

- Students may be sent home for the rest of the day for self-care
- Counselors will recommend self-care days anywhere for 1-5 days depending on students individual needs
- Students may be referred to Indian Health Service (IHS) Behavior Health
- A plan will be created and signed by student, parent/guardian, counselor, and an administrator

Emergency Referrals/Walk-ins to Indian Health Service (IHS) Behavior Health

When a student is referred to IHS Behavior Health* for an emergency referral/walk-in the following actions will take place:

- A counselor will inform the parent/guardian
- Parent/guardian will be required to meet the student and counselor at IHS Behavior Health

Suicide Ideation:

The student will be referred to the IHS Behavior Health in Kyle for Suicidal Ideation. In the event that IHS Behavior Health in Kyle is unavailable, the student will be transported to the emergency room at Pine Ridge Indian Health Service.

In the event of hospitalization: Parent/guardian will have the option to sign an *Authorization for Use or Disclosure of Protected Health Information*.

- This will allow IHS to collaborate with Little Wound School on treatment plans, student transport to appointments, etc.
- If the parent/guardian does not wish to disclose this information to Little Wound School parent/guardian will assume all responsibility for student's mental health care in relation to Indian Health Service including transportation

When hospitalization is not required: Student will be required to go home for the remainder of the school day and for a period of time for no less than 3 days.

Medication: If a student is prescribed psychotropic, mood altering, or any other medications for any reason:

A 72 hr. home period will be required before the student can return to school

The student and parent/guardian will meet with the school nurse and administrator to document the medications and set up a medication plan if medications will need to be administered during school hours

Self-Harm/Cutting:

Step 1: Nurse will assess severity of wounds and take appropriate actions

Step 2: Parents/Guardian will be notified

Step 3: Referral will be made to counselor where a good health agreement and plan will be created based on student's individual needs

4.31 INOCULATIONS

The parent(s) of each child admitted to school shall present certification from a licensed physician or authorized representative of the Indian Health Service that the child has been immunized against poliomyelitis, diphtheria, pertussis, rubeola, rubella, mumps, hepatitis B, Chicken Pox, and tetanus.

The school will comply with all current immunization regulations for students entering school for the first time and students entering the 6th grade.

(see South Dakota Codified Laws 13-28-7.1 ~~and 13-28-7.1~~)

Any student entering LWS shall, prior to admission, be required to present to the appropriate school authorities certification from a licensed physician that the child has received or is in the process of receiving adequate immunization against poliomyelitis, diphtheria, pertussis, rubeola, rubella, mumps, tetanus, meningitis, and varicella. The LWS may modify or delete any of the required immunizations upon prior written notice to students and guardians thirty (30) days in advance of a change in the vaccination requirements. LWS shall comply with all tribal laws of the Oglala Sioux Tribe establishing vaccination requirements, and shall review the South Dakota Department of Health regulations when making decisions on LWS vaccination requirements. As an alternative to the requirement for a physician's certification, the child may present:

As an alternative to the requirement for a physician's certification, the child may present:

(1) Certification from a licensed physician stating the physical condition of the student would be such that immunization would endanger the student's life or health, and LWS determines that a reasonable accommodation is available to the student based on an evaluation that includes the risk to the health and safety of the staff and students, and the financial and institutional impact of granting an accommodation, unless LWS determines that granting the exemption would pose a significant difficulty or expense to LWS; or

(2) A written statement signed by one parent or guardian that the student requests a religious exemption based on sincerely held spiritual/religious belief, observance, or practice that is impaired by vaccination and LWS determines that a reasonable accommodation would not pose an undue hardship on LWS operations.

4.58 STUDENT ALCOHOL TESTING

It is the policy of the Little Wound School Board to provide a safe, secure and drug and alcohol free school environment by implementing a program to detect, treat and prevent the use and abuse of alcohol and drugs by all students.

Alcohol use by a student is illegal and poses a serious threat not only to their own well-being, but also to the well-being of the entire school community. Drug or alcohol use will not be tolerated during school hours, on school property, or at any school-sponsored activity or event during or after school hours. Students who violate the school policy on use, possession, sales or distribution may be subject to disciplinary action as set forth in the Student Handbook.

When determining possible alcohol use or intoxication by a student during the school day or at a school related function the safety of the student is the primary concern. An assessment of a student's suspected alcohol use may be aided by the use of a breath alcohol testing device which indicates the presence or absence of alcohol, when based upon reasonable suspicion or probable cause.

Procedure:

During the normal school day or at school-sponsored events.

An employee may determine possible student alcohol use without the aid of a breath alcohol testing device by observing one or more of the following indicators:

- Slurred speech
- Unsteady gait
- Impaired motor control
- Flushed face
- Smell of intoxicating liquor on breath, clothing or person
- Vomiting

If the employee determines that a student is intoxicated or has used alcohol based on one or more of the above indicators, that shall constitute reasonable suspicion and:

1. Parent/Guardian is notified and requested to take the student home.
2. Emergency help is called if student is assessed to be at risk for alcohol poisoning or in need of medical assistance.
3. The police ~~may~~ will be called immediately to take the student into protective custody.
4. Disciplinary action may be taken as indicated in Student Handbook.

If a student is reasonably suspected of being under the influence of alcohol or is suspected of having consumed alcohol, the following action will be taken:

1. The student will be escorted to the test site.
2. The test is conducted by a certified Breath Alcohol Technician (BAT).

3. Tests uses an approved Evidential Breath Testing (EBT) device.

If the test is positive (.01BAC) the student may request a maximum of two additional tests taken at least 2 minutes apart. If these additional tests are positive:

1. The parent/guardian is notified and requested to take student home.
2. Emergency help is called if student is assessed to be at risk for alcohol poisoning or in need of medical assistance.
3. The police may be called to take the student into protective custody.
4. Disciplinary action may be taken as indicated in the LWS Student Handbook and may result in suspension.

If the test is negative, the student will be allowed to resume activity if the administrator does not suspect the use of other drugs.

1. The student's parent/guardian will be notified that the breathalyzer was administered.

If a student who is suspected of being under the influence of alcohol or who is suspected of having consumed alcohol refuses the test:

1. The administrator will notify parents to pick up the student and detain the student until parent's arrival.
2. The administrator may consider the refusal and all other evidence to determine whether or not the student is intoxicated or has consumed alcohol and may discipline the student in accordance with the LWS Student Handbook.

If any student suspected of intoxication leaves the scene against the school official's request:

1. Parent/Guardian is notified.
2. Public Safety is notified.
3. Disciplinary action is taken as indicated in the LWS Student Handbook.

There is always the possibility that a student may become intoxicated after passing an initial breathalyzer screening. If the administrator in charge of the function observes the behaviors listed in a) , in such a student, then they may administer the breathalyzer. If the student tests positive on the breathalyzer, they may request a second and third test. If these tests are positive, then the administrator will follow the procedure as written in (d) of this policy. School discipline will be administered and may result in suspension.

NOTE: Law enforcement may be called at any time by the School if there is reasonable suspicion a student is intoxicated.

6.12 SEX EDUCATION

The family shall be a fundamental element in the sex education program of the school. Development of a strong family institution is largely dependent on sexual maturity. Children will be provided with developmentally appropriate and timely information regarding sexuality, from birth to the establishment of their own families.

Parents will be notified when these lessons will be taught. Should a parent request their child not participate in a given aspect of the program, an alternate educational assignment shall be arranged for the student by the respective Principal.

Sexuality, Sex Education, AIDS Education and Prevention of Sexually Transmitted ~~Disease~~ Infections shall be written into the curriculum according to state standards.

Students will receive access to information regarding diversity in sexual identities, gender identities, relationship structures, consent, and abuse. Additionally, students will be provided with safe spaces to discuss various aspects of their identities and experiences with an adult and/or group of students who can provide support.

6.28 FIELD TRIPS AND EXCURSIONS

The Board recognizes that first-hand learning experiences provided by field trips are an effective and worthwhile means of learning. Specific procedures developed to screen, approve and evaluate trips include:

All field/activity trips must be authorized by the respective supervisors.

Field Trip Request forms will be submitted to respective principals two (2) weeks in advance, for their approval, prior to any field trip activity.

The person requesting the trip is responsible for arranging transportation, food, money, etc.

Parents must be notified and sign Parent Consent forms. The person requesting the trip is responsible for obtaining parental permission. A signed consent form shall be on file, or in the case of verbal consent, the LWS shall send a confirming letter to the legal guardian specifying the date time and name of the employee who confirmed verbal consent on the Parent Consent form.

All out of state trips shall be presented to and approved by the Board, with the exception of towns located within a 125 mile radius.

All students attending field trips and excursions will not be permitted to accept a ride from anyone unless authorized by respective parent and principal with written permission received prior to departure from the school.

7.03 QUARTERS ASSIGNMENT

The Superintendent/Housing Committee has the authority to assign employees to quarters, in consultation with the Housing Committee, with rent deducted on a biweekly basis from the salary check of employees leasing school quarters. The Housing Committee shall be comprised of the following LWS employees: Business Manager, Human Resources Director, Facilities Manager, Tenants are required to complete a housing agreement form annually. The Facilities Manager is responsible for inspecting quarters to ensure tenant compliance with housing policies. Failure to comply with housing policies shall result in termination of the housing agreement.

Quarters are reserved for certified personnel and other positions recommended by the Little Wound School Board. Temporary assignment of quarters by the Superintendent/Housing Committee is for the school year only or as otherwise specified.

A. The following criteria shall be followed in assigning quarters:

Quarters shall be assigned only to LWS employees on the basis of number of dependents for which bedrooms are required. Larger houses shall be assigned to larger families.

Married employees without children shall be assigned to suitable efficiency apartments before being assigned to multi-bedroom units.

Consideration shall be given to assigning quarters having the highest rental rates to higher salaried personnel.

Quarters shall not be assigned to employees for the use of relatives who are not members of the employee's immediate family, or immediate family members over twenty-six (26) years old.

Employees who originate from or intend to remain in the local area should provide their own quarters with the exception of personnel who are on 24-hour call for emergencies. Local area is defined as all lands within the boundaries of the Pine Ridge Reservation.

There shall be no summer time or temporary assignment of quarters.

Tenants must provide a list of authorized individuals to be occupying quarters. Any new occupants or any other changes must be reported to the Superintendent. Tenants will include their pets and the name of the pet.

Any prior eviction from LWS Housing will result in ineligibility for future housing.

Trailer lots will be used for LWS full time/permanent employees only.

Tenant Rights and Obligations: Tenants of Little Wound School quarters may expect the same courtesies as are ordinarily extended by any landlord. The Board expects tenants to exercise reasonable care in the use of the quarters as is ordinarily expected of any tenant.

Inspection: An inspection of the quarters shall be made by the Facilities Manager and the tenant prior to and at the termination of the tenant's occupancy. An inspection report will be filed at the Facilities Office with a copy furnished to the tenant at the time of occupancy.

Deposit: A \$200.00 deposit shall be made to the school prior to moving into assigned quarters. The deposit will be returned to the tenant upon vacancy if there is no damage to the quarters other than normal wear. Mobile home lots shall require a \$100.00 deposit. Replacing lost keys will cost the tenant \$10.00.

Damage: Damage to school property or equipment shall be reported promptly. Tenants are responsible for damage caused by negligence or misuse and shall promptly reimburse the school in the amount determined by the Board. LWS reserves the right to set off any funds in the possession of LWS, or to file a claim in a court of competent jurisdiction, to recover for damages to LWS property by a tenant.

Tenants will be assessed and are expected to promptly reimburse the school for the rehabilitation or repair of the quarters or equipment for damages noted during maintenance or safety inspections or "check-out" inspections when vacating quarters. Such damages shall include deterioration beyond normal wear caused by misuse or negligence in the care and use of quarters or equipment. The tenant shall be responsible for making minor repairs to their dwelling.

Tenants leaving quarters unoccupied for an extended period of time shall arrange to have the quarters checked to insure proper functioning of the heating systems, hot water heater, etc. Any maintenance or repair cost arising from neglect during unoccupied periods shall be assessed to the tenant. Tenants shall be billed for repairs due to negligence through payroll deduction. Failure on the part of the tenant to keep fuel supply in the tanks or payment of utility bills constitutes negligence. The fuel tank shall be filled by the tenant before a final salary report is made.

Rent: Rent shall be charged according to the LWS Housing Rate Schedule, which shall be reviewed, approved by LWSB and published annually, prior to the issue of the housing agreements. A \$25.00 per month/per pet fee will be added to rent.

Subletting: Subletting or subleasing of any portion of quarters assigned to a tenant shall not be permitted. Exchange of money is not required to constitute subletting/subleasing.

Business: Conducting a business enterprise of any kind in quarters is not permitted, with the exception of those ventures which may occur periodically, and which have a duration of only a few hours, including, but not limited to, the following: food sales, rummage sales, lawn mowing, snow removal, babysitting services.

Care of Lawn and Sidewalks: The tenant is responsible for the maintenance of lawn and sidewalks within property boundaries and are expected to furnish their own maintenance equipment. The tenant shall make arrangements for care of lawn and sidewalk when on vacation.

Playground equipment, swimming pools, sand boxes, etc., are not permitted on front lawns. Equipment of this type may be placed in the backyard with permission from the Facilities Manager.

Maintenance: Maintenance shall be performed in accordance with applicable guides and regulations.

Alterations: Structural, mechanical, or electrical alterations of any kind are not permitted.

Parking: Tenant vehicles shall be parked in such a manner not to inconvenience tenants in other quarters. Parking on lawns is prohibited.

Automobiles: Automobiles parked at residence must be able to move under their own power, or the maintenance department shall have the right to remove the vehicle at expense of the tenant.

Pets and Livestock: Pets are subject to OST animal control ordinance and the Oglala Sioux Tribes Braden's Law. There shall be no more than one (1) dog or (1) cat per housing unit. There shall not be any dog or cat authorized in an apartment unit. All pets must be approved in advance by LWS and all dogs must be fully vaccinated against Rabies and DTTP and all cats must be fully vaccinated against Rabies. Exotic animals of any kind are strictly prohibited in any of the housing or apartment units. All dogs outside of their yard shall be required to wear a leash. In addition, should any animal be found roaming at large on campus or tenant housing the following action will take place by the Facility Manager or their designee in accordance with the following procedures:

Documented notice will be given the owner of animal with warning of further steps to be taken.

Documented second notice will be given to owner with the understanding and consent that further violations of policy will result in the animal being removed from the Little Wound School property.

The Little Wound School security and/or facilities will be contacted to remove animal from Little Wound School property. A \$25.00 fee will be charged to the tenant if school personnel is required to remove the pet.

Continued violations of pet policy shall be grounds for removal from Little Wound School.

All efforts will be made to properly identify owners of pets before any action is taken, therefore, it is important for pet owners to have identification collars on their pets at all times.

No livestock shall be allowed on the LWS campus, except for agricultural, educational purposes, approved in advance by the Superintendent.

Safety and Maintenance Inspections: The Board shall authorize personnel to enter quarters for the purpose of making safety and maintenance inspections and to conduct equipment inventory. Failure to authorize inspection shall be grounds for eviction.

Tenant owned and used appliances including extension cords shall be U.L. approved types and shall be maintained in such condition that they will not present hazards. Tenants should take care not to overload electrical circuits.

No materials or goods shall be stored within two feet of furnaces, water heaters, and chimneys or smoke pipes. Continual violation shall be subject to penalty or eviction.

Tenants shall not allow debris to accumulate in or around quarters and shall keep their quarters free of hazards, which would cause fires or injuries. Noncompliance shall be grounds for penalty or eviction.

Tenant will be fined \$25.00 for clutter and garbage found in and around quarters.

Loss or Damage to Personal Property: The Board is not responsible for loss or damage to personal property of the tenant ~~for any reason placed in school quarters~~. It shall be the responsibility of each tenant to properly insure their property against such loss.

Conduct: Tenants, family, and guests of tenants are expected to conduct themselves in an orderly and respectful manner. Conduct unbecoming an employee or their dependents and violations of other people's rights to include domestic violence shall be grounds for removal and/or eviction from Little Wound School quarters. If annual notification discussed in 7.03 (a) is not complied with, the lease may be terminated.

Distribution: A copy of this policy shall be permanently displayed on bulletin boards and attached to each quarter assignment form when initially issued to a tenant and accessible on the LWS website: www.littlewound.us.

Minutes of Meetings: Written minutes of each meeting of the ~~Board~~ housing committee shall be maintained for future reference when it pertains to quarters.

Assignment Termination: Termination of assignment and vacating of quarters shall correspond with the time of transfer, separation, etc. Inspection of quarters will be made at that time to determine the condition of the quarters and to assure all Little Wound School owned equipment is on the premises. Employees will be given two weeks to vacate school housing upon termination. Any property left in the unit after tenant vacates the quarters becomes the property of LWS after 30 days.

No Alcohol, Drugs or Inhalants: No alcohol, drugs or inhalants shall be allowed to be used, sold, or possessed by Tenants, their families, and guests of LWS Housing. Any drug or alcohol violations are grounds for immediate eviction of tenant. If convicted of any of the following: the selling, distribution, possession, manufacture or use of alcohol or illegal drugs from Little Wound School quarters by anyone is prohibited. This will result in the immediate termination of the housing agreement of the employee renting the quarters and immediate eviction. Reported incidences of such activity will be turned over to the Oglala Sioux Tribe Public Safety Commission and/or school personnel per the school's organizational chart. The incident report shall be submitted to the Superintendent's office for the Superintendent's review to maintain a record of the incident.

Eviction Procedures: Violation of a tenant's housing agreement, the LWS policies and procedures regarding quarters and mobile home lots on LWS property, or a violation of tribal or federal law, shall constitute grounds for eviction. Any such violation shall be sufficient grounds for eviction, but the school has the discretion to give the tenant one (1) warning and probationary conditions prior to eviction. Not more than one (1) warning shall be allowed before eviction proceedings are begun.

Maintenance Procedures: The following procedure shall be followed for minor repairs to quarters.

Requests for routine repairs or maintenance work shall be written by the requesting individual on the Work Order Form and a copy retained in the Facilities Office.

Persons dissatisfied with the non-completion of work requests may utilize the Grievance Procedure outlined in the policies and procedures.

A work order request must be submitted to the Facilities Manager prior to implementing any repairs, except in an emergency.

If repairs are needed as a result of negligence, the Facilities Manager shall report the information to the Superintendent immediately. The cost of such repairs may be assessed to the individual. Tenants may not make their own repairs or hire anyone to make repairs without written permission of the LWS Facilities Manager.

Smoking: Smoking in apartments is prohibited.

Firearms of any kind shall not be displayed or carried outside of houses unless they are in cases or other containers for transport from house or vehicles.

7.36 FOOD SERVICE PROGRAM MANAGEMENT

SCHOOL WELLNESS

Little Wound School will provide all students with a strong foundation of knowledge, fitness, nutrition and healthy choices in a challenging and changing world. Little Wound School will provide an environment that promotes, protects and preserves health. Effective health education is a shared responsibility that begins in the home and is reinforced in the community by its citizens, health and agencies and schools.

Nutrition Education:

The K-12 nutrition education will include elements that incorporate South Dakota Health Education Standards on nutritional concepts with support healthy lifetime nutritional decisions.

Nutritional Standards:

The K-12 nutrition standard will include, but not be limited to, promoting nutritional choices while impressing upon the students the importance of good nutritional decisions throughout their lives.

1. Little Wound School will encourage healthy food choices for classroom activities.
2. Little Wound School will offer healthy choice options in all school vending machines and school sponsored events.
3. Little Wound Schools meal program will comply with local, state and federal guidelines.

Physical Activity:

The K-12 fitness and physical education curriculum will incorporate elements of South Dakota Physical Education Standards. Little Wound School will promote lifetime physical activity choices and encourage students to invest themselves in activity-based programs throughout life.

1. K-12 students will have the opportunity to be involved in physical activity through Little Wound Schools physical education programs, before – and after-school activities, OR other activity programs.
2. K-12 students will be encouraged to participate in community-offered fitness and/or athletic programs.
3. Little Wound School will support facility usage by students and community member for fitness and/or athletic activities.

Other School – Based Activities:

The K-12 school-based activities will provide opportunities for students and staff to engage in lifetime wellness activities and screenings throughout their schools and community. Little Wound School will provide nutrition education and physical education to students, staff, parents, and when appropriate, community members.

Little Wound School personnel will encourage healthy eating and physical activities.

Policy Evaluations:

The school administrators, through evaluation of all staff responsible for nutrition education, nutrition standards, physical education/activity, and other school-based activities, will assure that the requirements of this policy are met.

The Board shall implement a Food Service Program for students to meet or exceed all sanitation, nutrition, and quality meal requirements of Child and Adult Nutrition Services Program (CANS) and other requirements established by the Board. The Food Service Manager shall be responsible for the program on a daily basis and for food service staff supervision.

Goals of the Food Service Program are:

1. To provide sanitary food preservation, preparation and serving activities designed to enhance student participation in the food service program.
2. To prepare menus that meets nutritional standards and to consult with the student council on items for meals that enhance student participation in the program.
3. To implement daily cleaning and maintenance activities in the food service area that ensures compliance with sanitation and health requirements.
4. To disseminate information on meal planning to enhance student participation in the food service program.

5. To work with school and community groups in planning and preparing special occasion meals to supplement activities and enhance community involvement.
6. To implement a system of meal preparation that promotes variety, participation, cost effectiveness, and nutrition.
7. To implement an accounting and reporting process designed to accurately reflect participation in the food service program.

The basic requirements of the Food Service Program are:

1. Individuals who are not food service employees are prohibited from being in the food preparation area unless authorized by the Food Service Manager.
2. Food items shall not be taken from the food service area by individuals for their personal use.
3. Groups requiring food service for special meals are required to submit a written request to the Food Service Manager two weeks prior to the date of services being requested.
4. All food service personnel are required to have a physical examination annually and must be free from any communicable disease prior to working in the food service program.
5. Food service personnel shall be appropriately attired and groomed.
6. Students shall be prohibited from being in the food service area unless approved to assist by the Food Service Manager.
7. Only students and working staff shall participate in the regular breakfast program.
8. Community member or organization use of food preparation, serving or dining areas may be authorized by the Food Service Manager if:

The organization or individual signs a facility use agreement that stipulates the limitations authorized by the Food Service Manager.

A food service employee must be present to provide supervision for proper cleanup of the facilities and monitor the use of equipment or other items.

The organization or individual must sign a release of liability for use of equipment, facilities or other items.

School-sponsored activities requiring access to food service materials, supplies, equipment, or facilities are not required to submit a deposit. Such activities must have approval of the Food Service Manager and at least one food service worker shall be present to monitor items as specified in number 9a above.

Employees may purchase meal tickets from the Business Office Receptionist to participate in the lunch meal at the school. The cost for meal tickets shall be established annually.

~~20 meals—\$45.00 10 meals—\$35.00 1 meal—\$3.75~~

The Superintendent may approve of complimentary meals at no cost to the employee or others for participation in the lunch meal.

Departments may provide and prepare coffee for employees working in their own department.

Food Service accommodations must be provided to section 504 identified students and other special needs. Documentation of special needs, including food allergies, must be submitted to Food Service Manager, the School Nurse, the Principal and the Superintendent.

FOOD SERVICE INVENTORY: Semi-annual physical count of all food purchases and commodities received shall be conducted by the kitchen supervisor and submitted to the Business Manager. This count shall be compared to the perpetual inventory records maintained by the Food Service Staff.

The sale of foods and beverages of minimal nutritional value shall be prohibited throughout the school grounds between the start of the school day and the end of the last lunch period.

7.66 SCHOOL ATTENDANCE AREA

The Board shall establish school service area boundaries and any changes to school boundaries for grades K-12 ~~recognized by the Oglala Sioux Tribe. The~~ School reserves the right to limit its enrollment for K-8 students when it is determined that enrollment or estimated enrollment has increased beyond the capacity of the School's facilities. The School Board may approve a student who resides outside of the school boundaries to attend the school on a case by case basis.