

**CHAPTER I  
SCHOOL BOARD GENERAL POLICIES**

- I. ORGANIZATION
  - A. LEGAL DESIGNATIONS
  - B. ELECTION OF OFFICERS - AUTHORITY OF BOARD AND REPRESENTATION AREAS
  - C. DELEGATION OF AUTHORITY
  - D. EMPLOYMENT OF THE SUPERINTENDENT
  - E. EMPLOYMENT OF PRINCIPALS
  - F. EMPLOYMENT OF BUSINESS MANAGER
  - G. ATTENDANCE RIGHTS
  - H. ORGANIZATION OF SCHOOLS
  
- II. BOARD MEETING PROCESS
  - A. REGULAR MEETINGS OF THE BOARD
  - B. SPECIAL MEETINGS OF THE BOARD
  - C. PLACE OF MEETINGS
  - D. QUORUM FOR TRANSACTING BUSINESS
  - E. VOTING
  - F. ORDER OF BUSINESS
  - G. MAJORITY REQUIRED FOR ACTION BY SCHOOL BOARD
  - H. POLICY ADOPTION
  - I. OFFICIAL DEPOSITORY
  - J. OFFICIAL NEWSPAPER
  - K. COMMITTEES
  - L. OPEN SESSIONS
  
- III. DUTIES & RESPONSIBILITIES
  - A. BOARD DUTIES
  - B. HANDLING OF COMPLAINTS BY BOARD MEMBERS
  - C. RETENTION AND DELEGATION OF AUTHORITY
  - D. SENIOR CITIZEN PASS POLICY
  - E. PUBLIC RECORDS POLICY
  
- IV. GENERAL COMPLAINT REGARDING STAFF (PUBLIC)
  
- V. COMPLAINTS REGARDING STATE OR FEDERAL PROGRAMS

APPENDIX A: COMPLAINT FORM

**I. ORGANIZATION**

A. LEGAL DESIGNATIONS: This school district is designated as The Agar-Blunt-Onida School District No. 58-3, Onida, South Dakota.

B. ELECTION OF OFFICERS, AUTHORITY OF BOARD AND REPRESENTATION AREAS: The Board shall elect its own officers annually at the statutory meeting in July and make its own rules and regulations subject to the laws of the State of South Dakota. The representation areas created in the Reorganization Plan that created the Agar-Blunt-Onida School District No. 58-3, as filed with the State Department of Education remain in effect. Representation Areas shall be reviewed and adjusted as required by law each time a formal census of the District is conducted. All adjustments to the boundaries of the Representation Areas shall be based upon the principle of "one person, one vote."

C. DELEGATION OF AUTHORITY: While the Board is charged by the state with the responsibility of providing educational opportunities for the children of its schools and also charged with directing public school activities, a planned pattern of authority is observed by the Board. In fulfilling its' obligations, the Board acts similarly in its relationship to the school as do Boards of Directors to successful business organizations, that is, through legislation. The direct administration of the school system is delegated to the Superintendent of Schools whom the Board appoints to act as executive officer of the Board for the execution of all its policies and its legislation.

D. EMPLOYMENT OF THE SUPERINTENDENT: The School Board, at such time as it deems expedient, shall employ a Superintendent for a term of one to three years, but in no case beyond the renewal date of the Superintendent's certificate. This term shall begin July 1 for the year or years employed. The contract is generally offered prior to March 15th of each year. A Superintendent's initial contract shall be for not more than one year. Multiple year contracts will usually be renewed annually. If the multi-year contract is not renewed the contract will expire according to its terms. The Superintendent must physically reside within the boundaries of the District. *(See also Chapter IV Section V)*

E. EMPLOYMENT OF PRINCIPALS: Principals shall be employed to act as executive officers in charge of their respective departments or buildings and are directly responsible to the Superintendent and accountable to the School Board. The contract is generally offered prior to March 15th of each year. A principal's initial contract shall be for not more than one year and subsequent contracts may not exceed two years. Multiple year contracts shall usually be renewed annually. If not renewed the multi-year contract will expire according to its terms. The Principals must physically reside within the boundaries of the District. *(See also Chapter IV Section VII)*

F. EMPLOYMENT OF BUSINESS MANAGER: A Business Manager shall be employed to serve as the clerk of the district and treasurer of the Board. The Business Manager shall be directly responsible to the Superintendent and accountable to the School Board. The Business Manager's term to begin July 1st. The contract is usually offered prior to March 15 of each year. The Business Manager will be bonded in an amount set by the Board of not less than \$1,000,000.00. The Business Manager must physically reside within the boundaries of the District. An audit shall be made of all school records according to law. *(See also Chapter IV Section VI)*

G. ATTENDANCE RIGHTS: Schools are maintained for all children of legal school age who reside within the school district

H. ORGANIZATION OF SCHOOLS: The school shall consist of the following organizational units as the standard type of programs to offer instruction:

1. Blunt Elementary (K-6)
2. Onida Elementary (K-6)
3. Sully Buttes Jr/Sr High School (7-12)

## II. BOARD MEETING PROCESS

- A. **REGULAR MEETINGS OF THE BOARD:** The annual meeting of the Board shall be the second Monday in July at 6:30 P.M. unless otherwise designated at the preceding meeting. All regular meetings hereafter shall be on the second Monday of each month except when the Monday falls on a legal holiday; the meetings may be held on the next regular business day. All regular meetings will commence at **6:30 P.M.**
- B. **SPECIAL MEETINGS OF THE BOARD:** Special meetings may be held upon call of the President, or in the President's absence by the Vice-President, or by a majority of the Board members. Notice of such meetings shall be given to the Board members by the Business Manager either orally or in writing in sufficient time to permit their presence at the meeting. Attendance by phone is allowed provided there is a speaker phone at the place where the meeting is held. In a meeting where any member attends by phone, all votes will be by roll call.
- C. **PLACE OF MEETINGS:**
- |           |       |
|-----------|-------|
| August    | Onida |
| September | Blunt |
| October   | Onida |
| November  | Onida |
| December  | Onida |
| January   | Blunt |
| February  | Onida |
| March     | Onida |
| April     | Onida |
| May       | Blunt |
| June      | Onida |
| July      | Onida |
- D. **QUORUM FOR TRANSACTING BUSINESS:** Four (4) members of the Board shall constitute a quorum for the transaction of business since the statutes require four (4) voting assents to any official determination of a seven-member Board.
- E. **VOTING:** Any member may call for a roll call vote.
- F. **ORDER OF BUSINESS:** The following shall be the order of business of the regular meetings unless modified by Board action:
1. Call to Order.
  2. Changes to and approval of the Agenda.
  3. Reading and approval of minutes of previous meetings.
  4. Approval of Business Manager's monthly report.
  5. Reading and approval of bills.
  6. Public Input
  7. Reports from Administration
  8. Old Business
  9. New Business
  10. Adjournment

Board meetings will be conducted following simplified Robert's Rules of Order; however, the Board may dispense with these rules at anytime by majority vote. Failure to follow Robert's Rules shall not be a basis for challenging any Board action passed by a majority vote of the Board.

- G. **MAJORITY REQUIRED FOR ACTION BY SCHOOL BOARD:** Assent of a majority of the members of the school board shall be required to take any official action as a school

board. All official acts of a school board relative to motions or resolutions passed at board meetings become effective at the time of such passage unless otherwise expressly provided therein.

- H. **POLICY ADOPTION:** Adoption of new policies or changing existing policies is solely the responsibility of the Board. Policies will be adopted or amended only by the affirmative vote of a majority of the members of the Board when such action has been scheduled on the agenda of a regular or special meeting.

To permit time for study of all new policies or amendments to policies and to provide an opportunity for others to react, in most cases proposed policies or amendments to policies will be presented as an agenda item to the Board in the following sequence:

1. Information item--distribution with agenda (this may be an announcement that a policy is being developed in a particular area and that interested persons may submit suggestions).
2. Discussion item--first reading of proposed policy or policies; response from Superintendent; report from any Board or advisory committee assigned responsibility in the area; Board discussion and directions for any redrafting.
3. Action item--discussion, adoption, or rejection.

Amendments to the policy at the action stage will not require repetition of the sequence, unless the Board so directs. The Board may dispense with the above sequence to meet what it views as emergency conditions.

Policies will be effective upon adoption by the Board. Once adopted, policies of the Board will be appropriately distributed to the community, staff, and students.

The Board will readopt its collection of written policies annually at the organizational meeting; however, failure to take such action will not affect the legal status of existing policies.

- I. **OFFICIAL DEPOSITORY:** At the annual meeting in July, an official depository for school funds shall be designated.
- J. **OFFICIAL NEWSPAPER:** At the annual meeting in July, an official newspaper in which all Board proceedings are published shall be designated.
- K. **COMMITTEES:** The President of the Board shall appoint such committees as needs dictate. Committee action shall be of an advisory and study nature for reports to the Board.
- L. **OPEN SESSIONS:** The Board can transact business which is legally binding on the district only when it is in open session, with a quorum present, and its proceedings recorded in the official minutes of the meeting. Executive sessions shall only be used to discuss student and personnel matters, or on such matters as is allowed by law, on successful motion to go into executive session. The motion to enter executive session shall specify the reason for the session. Home schooling requests may be determined in executive session but shall be ratified in open session using a case number.

### III. BOARD DUTIES AND RESPONSIBILITIES

#### A. BOARD DUTIES:

1. To select a Superintendent.
2. To determine the educational needs of the district and to prescribe studies to be pursued and the educational program to be conducted in the elementary and secondary school to meet these needs.
3. To provide for the administration and control of the local school units, to prescribe the length of the school term, and the length of the school day in conjunction with the teacher's recognized collective bargaining agent.
4. To employ teachers and other personnel as may be needed for the efficient operation of the schools and to make provisions for the proper management and control of the same.
5. To provide suitable buildings, furniture, appliances, and instructional materials for efficient operation of the schools and to make provisions for the management and control of the same.
6. To establish such budgetary controls as would promote sound business practices in the school system.
7. To consider and act upon the recommendations of the Superintendent of Schools in all matters of policy, employment of personnel, dismissal of personnel, salary schedules, courses of study, other regulations, and any other matters pertaining to the general welfare of the school system.
8. To receive and consider reports by the Superintendent concerning his/her appraisal of school problems.
9. To evaluate the effectiveness and efficiency with which the schools are meeting the educational needs of the children in the district.
10. To inform the public of the needs of the schools and the progress toward meeting those needs.
11. To enact such rules and regulations as will ensure the safe, efficient, and economical operation of the schools.
12. To recognize and negotiate in good faith with any duly selected collective bargaining agent of a defined bargaining unit of District employees.
13. To sit as a judicial body when the Superintendent requests a hearing or an appeal from school employees or group of employees; student or a group of students. Any appeal should be conducted before the majority of the Board.

B. **HANDLING OF COMPLAINTS BY BOARD MEMBERS:** Individuals or groups often confront a single board member with issues which usually should be handled by the Superintendent. It is suggested that the board member withhold commitment and opinion until the matter has been presented to the entire Board. All persons making such inquiries should be referred to the appropriate grievance procedure.

C. **RETENTION AND DELEGATION OF AUTHORITY:** The Board retains full legislative and judicial authority over the schools in accordance with the school laws and the expressed will of the electorate, but delegates executive, supervisory, and instructional authority of its employees as herein specified.

D. **SENIOR CITIZEN PASS POLICY:** The Agar-Blunt-Onida School District will provide a minimum cost activity ticket to all district patrons who are 65 years of age or older. These persons may obtain the pass by contacting the Business Manager.

#### E. PUBLIC RECORDS POLICY

The Agar-Blunt-Onida School District will make district records available for public inspection, as required by applicable law.

The Board hereby designates the superintendent as the District's public records officer as required by law. The public records officer shall be responsible for allowing inspection of public records upon appropriate request, and for maintaining confidentiality of those records not open to the public. The Board herewith establishes a fee of fifteen cents per page to be charged for the retrieval and copying of public records. Requests for school records of the requestor by parents and eligible students shall be without charge. Requests for public records not related to the requestor's school records that require research and retrieval shall also incur an hourly fee of \$15.00. If records are provided in electronic form the cost of the media upon which the data is provided will be assessed as well.

Refusals to provide records by the Public Records Officer and objections to fees imposed will be addressed under the provisions of SDCL 1-27-35 through 43.

Legal References: SDCL Ch. 1-27  
FAMILY EDUCATION RIGHTS AND PRIVACY ACT

Adopted: 10/12/2009

#### **IV. GENERAL COMPLAINT PROCEDURE (PUBLIC)**

A. **PURPOSE:** Solutions to problems and improvement of staff performance can only occur when all the facts are available to parents, the Board, and the teaching staff. This procedure is designed to provide a process for handling such problems.

1. All complaints regarding the performance of any faculty member employee shall be handled according to the following policy. Any faculty member, administrator, or Board member approached with a complaint shall inform the person(s) making the complaint of the proper method for registering the complaint. Complaints not filed following the policy will not be acted upon nor shall they be recorded or given any other official recognition.

2. All complaints shall be in writing and signed by the party making the complaint. The complaint shall specify the person(s) involved, details of the alleged misconduct or reason for the complaint and supply any supportive evidence. (A sample copy of the Complaint Form A may be found in the appendix).

B. **PROCEDURES:**

1. Complaints against faculty members or other employees shall be filed with the principal.

2. Upon receipt of a signed complaint against any employee, the principal shall meet privately with the employee and shall provide the employee with a copy of the complaint and discuss the complaint. (A sample copy of Complaint Form can be found in the appendix).

3. If the principal feels that the complaint presents grounds for further action or if the complaint is to be made part of the employee's record, the employee must be informed of this fact in writing. An employee so notified shall have the right to request a meeting with the Superintendent and the complaining party or the right to attach a written rebuttal to the complaint or both. The principal shall render a decision in writing without undue delay and provide a copy of the decision and action to both parties.

4. The employee or complainant may request a meeting with the Superintendent within 10 days after the principal's decision is rendered. The Superintendent shall review the complaint as well as the principal's decision, conduct such further investigation as the Superintendent deems appropriate and meet with all parties. Parties to this meeting may be represented by a person of their choosing. The employee has the right to be accompanied by a representative of the collective bargaining agent representing the employees' bargaining unit, if any, or other person of their choice.

5. The Superintendent shall render a decision in writing without undue delay and provide copies of his decision and action to the parties. Within 10 days of the Superintendent's

decision either party may appeal to the School Board in writing filed with the business manager. The Board will review the complaint as well as the decisions of the administration and take such further action as it sees fit which may include additional investigation or a formal hearing. The Board's action may be appealed to court as provided by law.

## V. COMPLAINT PROCEDURE FOR STATE OR FEDERAL PROGRAMS

When individual parents, a community group, or members of the general public suspect that a school district or individual school may be violating a State administered program authorized under the Elementary and Secondary Education Act (ESEA), they have a right to file a complaint with the State Education Agency (SEA). Since a complaint implies a lack of cooperation between the Local Education Agency (LEA) and the person or group with a grievance, it is advisable to first consult with the local school administration about the alleged violation. Only when this course of action fails to produce results should a formal complaint be filed with the SEA.

A formal complaint is a signed written statement by parents, teachers, or other concerned individual or organization. The statement must include an allegation that a requirement applicable to an ESEA program has been violated and a statement of facts that support the allegation. Following the filing of a complaint the following procedure applies:

- A. Record Initiated** - A written record containing information pertinent to both the source and nature of the complaint should be initiated.
- B. Complaint Hearing** - Within fifteen (15) days following receipt of complaint, a hearing concerning the complaint shall be held by a hearing committee. Recommendations of the committee shall address answering the complaint. The committee shall be appointed by the Superintendent. No less than two persons shall be assigned to the committee, preferably the local coordinator and a parent.
- C. Hearing Minutes** - Minutes of a complaint hearing shall be taken and maintained at the local education agency. A copy of such minutes along with committee recommendations and administrative action shall be filed with the SEA.
- D. State Follow-Up** - The SEA shall maintain a record of all complaint hearings. The designated State Coordinator shall review the records of the complaint hearing and make contacts with the local educational agency regarding a follow-up and possible remedial action. If the complaint is not resolved to mutual consent of both parties, then either party can appeal through the state level procedures. (See the South Dakota Department of Education website for the state level procedures or call the Department at 605-773-3134.)

**APPENDIX A  
COMPLAINT FORM**

*PLEASE FILL OUT THIS FORM COMPLETELY – UNSIGNED COMPLAINTS WILL NOT BE  
ACTED UPON*

I / we \_\_\_\_\_ wish to file a formal complaint against \_\_\_\_\_  
\_\_\_\_\_.

The event(s) upon which this complaint is based are as follows:

*(Please be as specific as possible. Use additional sheets as necessary.)*

These events occurred: (date)\_\_\_\_\_.

These events were witnessed by:  
*(List all witnesses)*

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

Identify Board Policy, or State or Federal regulation you believe was violated:

State the action you believe should be taken:

Have you discussed this situation with the employee(s) involved? YES / NO  
If not, why not?

*Please be aware that making a false statement to a governmental organization like a school district can have serious consequences. In addition, a false charge may result in legal action taken by the person accused of wrongdoing.*

Signature of Complainant: \_\_\_\_\_ Date \_\_\_\_\_  
Signature of witness: \_\_\_\_\_ Date \_\_\_\_\_

Date received by ABO District \_\_\_\_\_

Action taken by District: *(use attachments if needed)*