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I. ORGANIZATION

A. LEGAL DESIGNATIONS: This school District is designated as The Agar-Blunt-Onida School District No. 58-3, Onida, South Dakota it may be referred to as “ABO District” or “ABO Schools”.

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 known as policies. The direct day-to-day 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 of its policies.

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-5)
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; in which case the meeting may be held on the next regular business day. All regular meetings will commence at 6:30 P.M.

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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. Roll call votes are held when required by law such as when any member attends by phone or any member requests a roll call vote.

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. Four (4) affirmative votes are required to bind the District.

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. Pledge of Allegiance
3. Conflict Disclosures
4. Changes to and approval of the Agenda.
5. Consent Calendar:
 - a. Approval of minutes from previous meetings
 - b. Reports: Financial, Budget, Food Service, T & A and Transportation
 - c. 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. (revised: 3/12/2018)

*** Public Input policy:**

Individuals wishing to address the Board on a topic must sign up with the Business Manager or designee prior to the beginning of public input section of the Board agenda.

Each person wishing to speak must give his/her name and address, identify the name of the organization represented (if any), identify the topic he/she wishes to address, and indicate whether they will be speaking for or against the item.

Individuals may address the Board for a maximum five (5) minutes per topic.

A maximum of thirty minutes total will be permitted per board approved topic.

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If more speakers sign up to speak to a topic than time is available, individuals who have submitted a request to speak on a topic may select a person or persons to speak to a particular view of the topic so that the maximum time for each topic may be maintained.

Etiquette and Decorum:

Speakers who have requested to speak on an approved topic will be introduced by the Board Chairperson at the appropriate time during the agenda. Anyone addressing the Board must give their name and address.

The Board expects that each speaker will be courteous. Speakers will address their comments to the entire Board and not to individual Board members, the Superintendent, a staff member, or to the audience.

Speakers are not permitted to interrogate Board members or District staff. Speakers will not be permitted to participate in gossip, make defamatory comments, or use abusive or vulgar language. Speakers will not engage in personal attacks against individuals.

Speakers will not present repetitive information.

Failure to comply with these guidelines may result in the speaker being denied the opportunity to address the Board and being asked to leave the meeting room. Adopted: 5/10/2021

- 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.

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- 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, upon a successful motion to go into executive session. The motion to enter executive session shall specify the reason for the session.

- M. **ALTERNATIVE INSTRUCTION (AKA "Home Schooling"):** Applications for alternative instruction are granted upon filing with the administration without Board action as provided in SDCL 13-27-2 and may be revoked as provided in SDCL 13-27-3.

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 that will 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 the Superintendent's 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 or adopt 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

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School administration. 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.

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. Concerns are best handled at the lowest level possible. This means the first discussion should be between the parent/patron and the specific employee.
 - 1. All complaints of patrons regarding the performance of any faculty member or 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 filing a complaint. Complaints not filed following the policy will not be acted upon nor will they be recorded or given any other official recognition.
 - 2. All formal complaints shall be in writing and signed by the party making the complaint and contain the address and phone number of the complainant. The complaint shall specify the person(s) involved, details, including dates, of the alleged misconduct or reason for the complaint and identify supportive evidence.
(The Complaint Form is found in the appendix).
 - 3. Any complaint brought by two (2) or more unrelated persons shall contain the name, address and phone number of each complainant. If members of the group are to be represented by someone other than the member, the spokesperson's name shall be indicated and a statement made that the spokesperson speaks for of each member of the group.

B. PROCEDURES:

1. Complaints against faculty members or other employees shall be preceded by an informal meeting between the patron and the affected employee. Following the initial informal meeting, either party may request a further informal meeting involving the employee, their supervisor and the patron. If the issue is not resolved at this point a written complaint shall be filed with the supervising 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. (*The Complaint Form can be found in the appendix*).
3. The Principal shall conduct such investigation as the Principal deems needed which will include one or more meetings with the employee and the complainant either separately or together. The employee may, but is not required to file a written response to the complaint with the Principal which shall be provided to the complainant.
4. The Principal shall render a decision in writing without undue delay and provide a copy of the decision and action to both parties. The Principal shall determine whether the complaint is to be made part of the employee's record and so advise the parties in writing. Either party has the right to attach a written rebuttal to the Principal's decision.
5. The employee or complainant may request a meeting with the Superintendent within ten (10) days after the Principal's decision is rendered. The Superintendent shall review the complaint and any attachments as well as the Principal's decision. The Superintendent shall conduct such further investigation as the Superintendent deems appropriate and shall meet with all parties individually or collectively. 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.
6. The Superintendent shall render a decision in writing without undue delay and provide copies of the decision and action to the parties. Within ten (10) days of the Superintendent's decision either party may appeal to the School Board in writing filed with the Business Manager.
7. The Board will review the complaint, its attachments, 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.
8. For the purpose of this policy, the word "day" means business day, regardless of whether school is in session.

V. State or Federal Programs Complaint Procedure

Any parent, teacher, individual, or organization with a complaint with regard to Federal Programs covered under the reauthorized *Every Student Succeeds Act* (ESSA) at Agar-Blunt-Onida Public Schools (Hereinafter "ABO School") may make the complaint known to the superintendent of schools. Within thirty (30) days of receipt of the complaint, ABO School will conduct an investigation of the allegation and resolve the complaint. The investigation shall include opportunities for the complainant or the complainant's representative to present evidence and question witnesses. Subsequent to the investigation and resolution, a report of findings will be filed with the State Department of Education and the complainant.

Disputes addressing the enrollment, transportation, or any other barriers to the education of children and youth experiencing homelessness are also addressed under this procedure.

ABO School is required to review all complaints made concerning a covered program if:

1. The complaint is in written form and alleges that Federal Program requirements have been violated;

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- 2. The complaint is signed;
- 3. The complaint includes the facts on which the statement is based and the specific program requirement alleged to have been violated; and
- 4. The complaint includes information supporting the allegation along with the allegation.

If the complaint has not been resolved to the satisfaction of the complainant, a hearing shall be conducted by the School Board within 30 days of receipt of written request for such a hearing. The hearing shall include opportunities for the complainant or complainant’s representative to present evidence and question witnesses.

The complainant has the right to appeal the decision of ABO School to the court under SDCL Ch. 13-26 or to the South Dakota Department of Education, Pierre South Dakota 57501. (*See the South Dakota Department of Education website for the state level procedures or call the Department at 605-773-3134.*)

A complaint made directly to the South Dakota Department of Education (SDDOE) without previously being filed with ABO School will be reviewed by the SDDOE to determine if an investigation is warranted by the SDDOE because of the seriousness of the complaint or if the complaint shall be returned to the complainant to be filed with this school district.

Complaints forwarded to ABO SCHOOL by the SDDOE shall be investigated within 30 days of receipt of the complaint by this district.

**PUBLIC
COMPLAINT FORM**

**PLEASE FILL OUT THIS FORM COMPLETELY – UNSIGNED OR INCOMPLETE 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 a specific as possible. Use additional sheets as necessary.)

These events occurred: (date)_____.

These events were witnessed by:

(List all witnesses)

- 1. _____
- 2. _____
- 3. _____
- 4. _____

Specify date, time and place you met with the employee named in this Complaint:

_____.

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

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State the action you believe should be taken:

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 _____

NOTE: If there are multiple Complainants regarding the same incident(s) and employee, who want to be heard individually, each must file a complaint form. If this is a group complaint with one spokesperson, each such complainant shall sign the attached page and indicate the name of the spokesperson.

Date received by ABO District _____ Assigned ID # _____

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

MULTIPLE COMPLAINANT SIGNATURE SHEET

_____(date)_____
Signature

Printed Name Address Phone

_____(date)_____
Signature

Printed Name Address Phone

_____(date)_____
Signature

Printed Name Address Phone

_____(date)_____
Signature

Printed Name Address Phone

_____(date)_____
Signature

Printed Name Address Phone

I agree to serve as Spokesperson for the individuals that have signed above. I understand that communication regarding this Complaint will be sent only to me and I am responsible for informing the group of any and all such communication.

Printed Name of Spokesperson: _____

Address of Spokesperson: _____

Phone Number: _____

Email Address: _____

Signature of Spokesperson

Date

NOTE: If an appeal is to be made to the School Board, each Complainant wishing to continue the Complaint must sign a new signature sheet indicating the date of the decision appealed.