

# **Vermillion School District Staff Handbook**

## **2023-24 Edition**

Vermillion School District  
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## **INTRODUCTION**

This handbook provides information to persons who are employed by the school district and are referred to in this handbook as employees, staff, or staff members. It is designed to provide practical information about the daily operation of the schools in the district and contains building and district directories, safety, and emergency information, as well as district policies and procedures. Each staff member should carefully review this handbook. The administration and the board of education continually review policies and procedures, so staff members should discuss comments, concerns, or suggestions about this handbook with their building principal or another member of the administrative staff.

This handbook does not create a “contract” of employment. Staff positions and assignments that do not require a teaching certificate or are not otherwise governed by the teacher tenure laws may be ended or changed on an at-will basis notwithstanding anything in this handbook or any other publication or statement, except a contract approved by the board of education.

Many situations may arise that are not covered by this handbook. In those instances, staff members should use their own good judgment or consult with the administration. If any information contained in this handbook conflicts with board policy or state statute, the policy or statute will govern.

The provisions in this handbook are subject to change at the sole discretion of the Superintendent and the Board of Education. From time to time, you may receive updated information concerning changes in the handbook. These updates should be kept within the handbook so that all procedures can be kept up to date. If you have any questions regarding this handbook, please ask your supervisor or the Superintendent for assistance.

Your suggestions about ways to improve the school are welcome and will always be considered.

## **NONDISCRIMINATION IN EDUCATION PROGRAMS AND ACTIVITIES**

The school district does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following person has been designated to handle inquiries regarding the nondiscrimination policies:

Dr. Damon R. Alvey, Superintendent  
Vermillion School District  
1001 East Main Street  
605-677-7000  
Damon.Alvey@k12.sd.us

For further information on notice of nondiscrimination, visit [https://ocrcas.ed.gov/contact-ocr?field\\_state\\_value=684](https://ocrcas.ed.gov/contact-ocr?field_state_value=684) or contact:

Office for Civil Rights  
U.S. Department of Education  
One Petticoat Lane  
1010 Walnut Street, Suite 320  
Kansas City, MO 64106

Telephone: 816-268-0550  
FAX: 816-268-0599  
TDD: 877-521-2172  
Email: OCR.KansasCity@ed.gov

For additional prohibited discrimination and related information, please review school district Policy 3053 – Nondiscrimination.

## **DRUG-FREE WORKPLACE REQUIREMENTS**

It is vitally important to have a healthy workforce that is free from the effects of illegal drugs. The use or possession of unlawful drugs in the workplace has a very detrimental effect upon safety and morale of the affected employee, coworkers, and the public at large; and on productivity and the quality of work.

Federal law requires this school district, as a recipient of federal funds, to maintain a drug-free workplace. The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in the district's workplace is prohibited. The term "workplace" includes every location where district employees may be found during their working hours or while they are on duty, regardless of whether the location is within the geographic boundaries of the district. Any employee who violates this policy will be disciplined with measures up to and including discharge. The district may, in its sole discretion, require or allow an employee who violates this policy to participate in and satisfactorily complete a drug abuse assistance or rehabilitation program.

A copy of this policy shall be provided for each current and newly hired employee on the school website. Every employee shall be required to signify receipt of a copy of the policy in writing. All district employees must abide by this policy, including those who are not directly engaged in the performance of work pursuant to a federal grant.

An employee must notify his/her supervisor of any conviction of a criminal drug statute for a violation occurring in the workplace within five days. The failure to report such a conviction will be grounds for dismissal. If the employee convicted of such an offense is engaged in the performance of work pursuant to the provisions of a federal grant, the district shall notify the grant agency within 10 days of receiving notice of a conviction from the affected employee or of receiving actual notice of such a conviction.

## **POLICIES AND PROCEDURES REGARDING ALL STAFF**

### **Accidents and Injuries**

Staff must inform the building office immediately of all accidents and/or injuries to students or staff and complete the appropriate accident form that is available from the office secretary. The accident form must be received in the administration office within twenty-four hours.

### **Activity Accounts and Fundraising**

Activity accounts are handled through the business manager's office. No student or sponsor may make any purchase that does not comply with Board Policy.

The superintendent is responsible for authorizing any fundraising on the part of student activities. **No fundraising may occur without express administrative permission.**

### **Activity Tickets**

All staff and significant other will be provided with two complementary activity tickets that admit them to home games free of charge. Activity tickets will be issued to staff through the building offices.

### **Agents, Salesmen and Other Business Representatives**

All business representatives calling on school matters must obtain permission from the superintendent or building principal before conferring with staff. Staff must determine whether the business representative has been granted permission before discussing business matters. Classroom teachers may not interrupt class work to confer with such representatives.

Staff may not use school time or school facilities for any personal activity for personal financial gain or confer with any business representative for personal business during school time.

### **Announcements and Circulars**

No announcements shall be made before any school group without authorization of the principal or superintendent.

Any circulars or advertisement displayed within the school shall have the approval of the building principal or superintendent before posting.

### **Board Policies, Rules, and Directives**

The board of education has adopted policies that govern the operation of the school district. A complete policy manual is available on the district's website. <https://vermillion.k12.sd.us/wp-content/uploads/2023/06/PolicyManual.pdf> These manuals will be updated as the board adopts new policies or modifies existing policies. In particular, the 4000 series deals with policies that affect personnel. Additionally, the Board has authorized the Superintendent and his



or her designee to adopt rules and directives regarding the conduct of students, staff, and other persons. Many of these rules and directives are published in the Student Handbook, Staff Handbook, and Activity Handbook, respectively. Each of these handbooks are available on the district's website and in the main administrative office.

### **Child Abuse**

School employees who have reasonable cause to believe that a child has been subjected to child abuse or neglect or observe a child being subjected to conditions or circumstances which reasonably would result in child abuse or neglect will report the suspected abuse or neglect according to the following procedure.

1. Any school employee who has reasonable cause to believe that a child has been abused or neglected shall report the suspicion to the building principal or superintendent immediately. Any doubt or question in reporting such cases shall be resolved in favor of reporting the suspected abuse or neglect.
2. The building principal or superintendent shall consider the report from the school employee and may further consult with the employee or other administrators. If there is a reasonable cause to suspect that the child has been abused or neglected as defined by state law, the building principal or superintendent shall immediately report such to the State's Attorney of the county in which the child resides or is present, to the Department of Social Services, or to law enforcement officers.
3. The administrator facilitating the report of suspected abuse or neglect shall request a response report.

### **Complaint Procedure**

Good communication helps to resolve many misunderstandings and disagreements. This complaint procedure applies to board members, patrons, students, and school staff, unless the staff member is subject to a different grievance procedure pursuant to policy or contract. Individuals who have a complaint should discuss their concerns with appropriate school personnel in an effort to resolve problems. When such efforts do not resolve matters satisfactorily, including matters involving discrimination or harassment on the basis of race, color, national origin, sex, marital status, disability, or age, a complainant should follow the procedures set forth below.

A preponderance of the evidence will be required to discipline a party accused of misconduct. This means that the investigator must conclude that it is more likely than not that misconduct occurred.

## **Complaint and Appeal Process**

1. The first step is for the complainant to speak directly to the person(s) with whom the complainant has a concern. For example, a parent who is unhappy with a classroom teacher should initially discuss the matter with the teacher. However, the complainant should skip the first step if complainant believes speaking directly to the person would subject complainant to discrimination or harassment.
2. The second step is for the complainant to speak to the building principal, Title IX/504 coordinator, superintendent of schools, or president of the board of education, as set forth below.
  - a. Complaints about the operation, decisions, or personnel within a building should be submitted to the principal of the building.
  - b. Complaints about the operations of the school district or a building principal should be submitted in writing to the superintendent of schools.
  - c. Complaints about the superintendent of schools should be submitted in writing to the president of the board of education.
  - d. Complaints involving discrimination or harassment on the basis of race, color, national origin, sex, marital status, disability, or age may also be submitted at any time during the complaint procedure to the School District's Title IX/504 coordinator. Complaints involving discrimination or harassment may also be submitted at any time to the Office for Civil Rights, U.S. Department of Education: by email at [OCR.KansasCity@ed.gov](mailto:OCR.KansasCity@ed.gov); by telephone at (816) 268-0550; or by fax at (816) 268-0599.
3. When a complainant submits a complaint to an administrator or to the Title IX/504 coordinator, the administrator or Title IX/504 coordinator shall promptly and thoroughly investigate the complaint, and shall:
  - a. Determine whether the complainant has discussed the matter with the staff member involved.
    1. If the complainant has not, the administrator or Title IX/504 coordinator will urge the complainant to discuss the matter directly with that staff member, if appropriate.
    2. If the complainant refuses to discuss the matter with the staff member, the administrator or Title IX/504 coordinator shall, in his or her sole discretion, determine whether the complaint should be pursued further.
  - b. Strongly encourage the complainant to reduce his or her concerns to writing.
  - c. Interview the complainant to determine:
    1. All relevant details of the complaint;
    2. All witnesses and documents which the complainant believes support the complaint;
    3. The action or solution which the complainant seeks.

- d. Respond to the complainant. If the complaint involved discrimination or harassment, the response shall be in writing and shall be submitted within 180 days after the administrator or Title IX/504 coordinator received the complaint.
- 4. If either the complainant or the accused party is not satisfied with the administrator's or the Title IX/504 coordinator's decision regarding a complaint, he or she may appeal the decision to the superintendent.
  - a. This appeal must be in writing.
  - b. This appeal must be received by the superintendent no later than ten (10) business days from the date the administrator or Title IX/504 coordinator communicated his/her decision to the complainant.
  - c. The superintendent will investigate as he or she deems appropriate. However, all matters involving discrimination or harassment shall be promptly and thoroughly investigated.
  - d. Upon completion of this investigation, the superintendent will inform the complainant in writing of his or her decision. If the complaint involved discrimination or harassment, the superintendent shall submit the decision within 180 days after the superintendent received complainant's written appeal.
- 5. If either the complainant or the accused party is not satisfied with the superintendent's decision regarding a complaint, he or she may appeal the decision to the board.
  - a. This appeal must be in writing.
  - b. This appeal must be received by the board president no later than ten (10) business days from the date the superintendent communicated his/her decision to the complainant.
  - c. This policy allows but does not require the board to receive statements from interested parties and witnesses relevant to the complaint appeal. However, all matters involving discrimination or harassment shall be promptly and thoroughly investigated.
  - d. The board will notify the complainant in writing of its decision. If the complaint involved discrimination or harassment, the board shall submit its decision within 180 days after it receives the complainant's written appeal.
  - e. There is no appeal from a decision of the board.
- 6. When a formal complaint about the superintendent of schools has been filed with the president of the board, the president shall promptly and thoroughly investigate the complaint, and shall:
  - a. Determine whether the complainant has discussed the matter with the superintendent.
    - 1. If the complainant has not, the board president will urge the complainant to discuss the matter directly with the superintendent, if appropriate.

2. If the complainant refuses to discuss the matter with the superintendent, the board president shall, in his or her sole discretion, determine whether the complaint should be pursued further.
- b. Strongly encourage the complainant to reduce his or her concerns to writing.
- c. Determine, in his or her sole discretion, whether to place the matter on the board agenda for consideration at a regular or special meeting.
- d. Respond to the complainant. If the complaint involved discrimination or harassment, the response shall be in writing and shall be submitted within 180 days after the president received the complaint.

### **No Retaliation.**

The school district prohibits retaliation against any person for filing a complaint or for participating in the complaint procedure in good faith.

### **Special Rules Regarding Educational Services and Related Services to Students with Disabilities.**

Students with disabilities and their families have specific rights outlined in state and federal law, including administrative processes by which they may challenge the educational services being provided by the school district. Therefore, the appeal process contained in this policy may not be used to challenge decisions made by a student's individualized education plan (IEP) team or 504 team.

Complaints about the educational services provided to a student with a disability, including but not limited to services provided to a student with an IEP, access to curricular and extracurricular activities, and educational placement must be submitted to the school district's Director of Special Education. The Director of Special Education will address the complaint in a manner that he/she deems appropriate and will provide the complainant with a copy of the Notice of IDEA Parental Rights promulgated by the South Dakota Department of Education.

Complaints about the educational services provided to a student with a disability pursuant to a Section 504 plan must be submitted to the school district's 504 Coordinator. The 504 Coordinator will address the complaint in a manner that he/she deems appropriate and will provide the complainant with a copy of the Notice of Section 504 Parental Rights adopted by the board of education.

Complaints about the educational services provided to a student who is suspected of having a disability must be submitted in writing to the school district's Director of Special Education or to the district's 504 Coordinator. The Director of Special Education or 504 Coordinator will either refer the student for possible verification as a student with a disability or will provide prior written notice of the district's refusal to do so.

### **Bad Faith or Serial Filings.**

The purpose of the complaint procedure is to resolve complaints at the level closest to the issue. Complaints filed (a) without a good faith intention to attempt to resolve the issues raised; (b) for the purpose of adding administrative burden; (c) at a volume unreasonable to expect satisfactory resolution; or (d) for purposes inconsistent with the efficient operations of the district may be dismissed by the superintendent without providing final resolution other than noting the dismissal. There is no appeal from dismissals made pursuant to this section.

### **Computers and the Internet: Acceptable Use by Staff**

Internet access is an important tool for communicating, keeping up to date with current developments in education, and for conducting research to enhance management, teaching, and learning skills. Staff members must refer to and comply with the board policy regarding Staff Internet and Computer Use. A copy of this policy is attached below. Staff should also refer to and comply with the board policy regarding Staff and District Social Media Use.

### **Conflict of Interest**

All staff members are subject to the board's policy governing conflict of interest. No employee shall solicit or accept anything of value, including a gift, loan, contribution, reward, or promise of future employment based on an agreement that the vote, official action, or judgment of the employee would thereby be influenced.

### **Contact Information**

Staff are required to keep the district informed of any change in their name, address, telephone, or other contact information. Contact the administrative office to report a change.

### **Copyright and Fair Use**

The school district complies with federal copyright laws. Staff members must comply with copyright laws when using school equipment or working on behalf of the district. Federal law prohibits the unauthorized reproduction of works of authorship, regardless of the medium in which they were created.

The "fair use" doctrine allows limited reproduction of copyrighted works for educational and research purposes. "Fair use" of a copyrighted work includes reproduction for purposes such as criticism, news reporting, teaching (including multiple copies for classroom use), scholarship, or research. Staff who are unsure whether their proposed reproduction of copyrighted material constitutes "fair use" should consult with their building principal, review the school district's copyright compliance policy, and review *Reproduction of Copyrighted Works by Educators and Librarians* from the U.S. Copyright Office

found at <https://www.copyright.gov/circs/circ21.pdf> and *Copyright for Students* found at <https://www.whoishostingthis.com/resources/student-copyright/>. You can find more information on copyright compliance requirements and permitted uses from the U.S. Copyright Office and the Library of Congress at the following site: <http://www.loc.gov/teachers/usingprimarysources/copyright.html>.

### **Corporal Punishment**

Corporal punishment, defined as any act of physical force upon a student for the purpose of punishing that student, is prohibited. Corporal punishment does not include the use of physical force that is reasonable and necessary to (1) protect school employees; (2) protect students or property; or (3) remove a student from a situation that endangers the student, persons, or property. Staff members should promptly report any event that required the use of physical force to their building principal.

### **Disability Leave (Short-Term)**

Short-term disability leave will be treated in the manner required by state and federal law and consistent with the negotiated agreement with the school district's local education association. Short-term disability leave will run concurrently with FMLA leave.

### **Discrimination and Harassment**

The school district prohibits discrimination and harassment based upon or related to race, color, national origin, sex, religion, marital status, disability, age or any other unlawful basis that (1) has the purpose or effect of creating an intimidating, hostile, or offensive school environment, (2) has the purpose or effect of substantially or unreasonably interfering with an employee's school performance, or (3) otherwise adversely affects an employee's employment opportunities.

Employees who believe that they have been the subject of unlawful discrimination or harassment due to their disability should contact the following Section 504 Coordinator: Paige Parsons at 605-677-7010, [Paige.Parsons@k12.sd.us](mailto:Paige.Parsons@k12.sd.us), Sam Jacobs at 605-677-7015, [Samuel.Jacobs@k12.sd.us](mailto:Samuel.Jacobs@k12.sd.us), Tom O'Boyle at 605-677-7025, [Tom.Oboyle@k12.sd.us](mailto:Tom.Oboyle@k12.sd.us), Jon Frey at 605-677-7035, [Jon.Frey@k12.sd.us](mailto:Jon.Frey@k12.sd.us), or in person at school. Employees who believe that they have been the subject of unlawful discrimination or harassment due to their sex should contact the following Title IX Coordinator: Jason Huska at 605-677-7035, [Jason.Huska@k12.sd.us](mailto:Jason.Huska@k12.sd.us), 1001 East Main Street or in person at school.

Employees who believe that they have been the subject of any other unlawful discrimination or harassment should contact the Superintendent, Dr. Damon R. Alvey at 605-677-7000, [Damon.Alvey@k12.sd.us](mailto:Damon.Alvey@k12.sd.us) or in person at school. Employees may report discrimination or harassment to any staff

member who will then forward it on to the appropriate coordinator or administrator. The staff members will follow school district policies to respond to the report.

### **Driving (both school and personal vehicles)**

All staff members who drive school vehicles or volunteer to use their personal automobile to transport students must have a valid driver's license. Staff members who drive school vehicles or transport students in their personal vehicles are responsible for following safe driving practices, including use of seat belts by all occupants, and are responsible for any injury or accident. Staff members are not to use cell phones while driving a school vehicle or while transporting students. Please see the school district's policy on school vehicle use for further information.

Drivers for the school district must be free from drug and alcohol use or abuse. The school district will test drivers as permitted under state and federal law and in accordance with board policy.

### **Dress Code**

The attire worn by staff members conveys an important image to students and the general public. The appearance of professional staff members shall be appropriate to their assigned duties and indicative of their professional standing in the school and community.

Certified staff, paraeducators, and office staff should generally dress in business casual attire that is clean and professional.

The following are examples of unprofessional attire which should not be worn by classroom staff during the traditional school day, when students or visitors are in attendance, or when the employee is supervising, directing, or coaching students when the public is in attendance:

- For men: shirts without collars, unless the shirt can be deemed professional by other standards.
- Athletic wear, including sweat, jogging and wind suits, except when teaching a physical education activity in the gymnasium, on a playing field, or at athletics or other activity practices.
- Shorts, except when teaching physical education class or at athletic or other activity practices.
- Hats, except when worn outside for sun coverage.
- Rubber sole 'flip flop' thong sandals.
- Any attire which is excessively wrinkled or torn, so that it is no longer neat and professional.
- Any attire which is immodest or may distract other employees or students in the learning environment.

Custodial, maintenance, and transportation staff should dress in attire appropriate to the work they are performing.

The superintendent or principal shall maintain the discretion to make determinations on staff dress and appearance. Administrators may temporarily suspend all or a portion of the dress code when other factors support a lower dress expectation for school employees (e.g., special “casual days” or field days). Any violation of school policy and rules may result in disciplinary action.

### **Drug and Alcohol Testing**

School district administrators who suspect that drugs or alcohol may be present in a staff member’s system may require the staff member to provide a body fluid or breath sample as provided in South Dakota law. Staff members who refuse a lawful directive to provide a body fluid or breath sample may be subject to disciplinary or administrative action by the employer, including denial of continued employment.

### **Electronic Communication While Driving**

Unless the superintendent or a principal grant an exception to allow verbal communication on an as needed basis for specific district-related work based upon an employee’s duties and responsibilities, school personnel shall not use any electronic communication device to read a written communication, manually type a written communication, send a written communication, verbally communicate with others, or otherwise communicate with others while operating a school vehicle. This prohibition includes but is not limited to answering or making telephone calls, engaging in telephone conversations, and reading or responding to e-mails, instant messages, text messages or other visual media.

### **Expenses**

The board will reimburse staff members for all approved expenses incurred in attending school business with prior approval. Reimbursement for mileage, supplies, overnight travel expense, and credit course reimbursement fees are processed on an expense report form that is available from each building secretary. Appropriate receipts must be attached.

To be reimbursed for an item or for personal vehicle use, staff members must complete a reimbursement claim form, attach receipts, and submit it to the Superintendent for approval.

All claims for reimbursement must be approved by the board, so some delay is probable. Mileage reimbursement will be denied if a school vehicle was available.

### **Family and Medical Leave (FMLA)**

Qualified employees will be provided leave under the Family and Medical Leave Act (FMLA) as provided in board policy.



### **In-School Communication**

Every staff member will be assigned a mailbox in the building where he or she works. Staff members are expected to check their mailboxes for messages in the morning upon arrival at school, at lunchtime, and at the end of the day before departing.

A great deal of information is distributed to staff via the school's e-mail system. Each staff member must check his or her e-mail account frequently throughout the school day. Staff members are allowed to use their school e-mail accounts for a moderate amount of personal e-mail correspondence. However, sending or receiving personal e-mail during class time is prohibited, regardless of whether that personal e-mail is received on the staff member's school e-mail account or a personal account.

### **Intellectual Property**

All written or artistic works, instructional materials, inventions, procedures, ideas, innovations, systems, programs, or other work product created or developed by any employee in the course and scope of performance of his or her employment duties on behalf of the district, whether published or not, shall be the exclusive property of the district. The district has the sole right to sell, license, assign, or transfer any and all right, title, or interest in and to such property.

### **Jury and Witness Duty Leave**

An employee who has been called to serve as a juror or subpoenaed to testify in a court proceeding will be entitled to the same job status, pay, and seniority upon returning to employment.

### **K-9 (Drug) Dogs**

The administration is authorized to use K-9 dogs to minimize the presence of illicit items on school grounds. Students and staff are specifically notified that:

1. Lockers may be sniffed by K-9 dogs at any time.
2. Vehicles parked on school property may be sniffed by K-9 dogs at any time.
3. Classrooms and other common areas may be sniffed by K-9 dogs at any time students and staff are not present.
4. If contraband of any kind is found, the student or staff member shall be subject to appropriate disciplinary action.

### **Keys**

Staff will not lend or have any duplicate keys made of any school key. Staff will make sure all doors are locked when they enter or leave the building other than regular school hours and are responsible for setting the security system after hours.

Staff members are always responsible for all keys issued to them and must keep their keys in a secure location or on the employee's person. Each classroom teacher must check that the doors and windows in his or her room are closed and locked at the end of the school day. Staff must report lost or stolen keys to the building principal immediately.

### **Locker Room Supervision**

Staff members must review and comply with the board's policy regarding locker room supervision.

### **Maintenance & Cleaning Request Forms**

Staff members should fill out maintenance requests forms as soon as they observe a maintenance problem. These forms must be turned into the building head custodian, principal and/or Facilities and Maintenance Manager.

### **Meals Program**

Staff may take advantage of meals offered through the district's foods program. Staff members must deposit funds in their lunch accounts before purchasing meals. Staff members will not be allowed to run a deficit in their lunch accounts.

### **Military Leaves of Absence**

Leaves of absence without pay for military or Reserve duty are granted to all employees as required by law. An employee who is called to active military duty or to Reserve or National Guard training or who volunteers for the same should submit copies of the military orders to the Superintendent as soon as is practicable.

Military Leave under the Federal Family and Medical Leave Act (FMLA) will be governed by the board's policies.

### **Milk Expression**

The district will provide reasonable break time for an employee who wishes to express breast milk for her nursing child in a place, other than a bathroom, which is shielded from view and free from intrusion from co-workers, students, and the public for one year after the child's birth.

### **News and Press Releases**

Positive media coverage of the school district and its activities is good for the school, its staff, and its students. Staff should endeavor to establish and maintain cordial relationships with local media outlets.

Activity sponsors and other staff who are involved in newsworthy activity should submit typed press releases to the office for distribution to the media when noteworthy events have occurred. Coaches must communicate with

local TV, radio, and print media promptly after matches or games to disseminate the results.

Communicating with the public, keeping the public informed, and public relations with the community are important tasks. News of important and/or interesting events and activities is usually welcomed by the newspapers.

### **Newsletters**

Each school's newsletter or school information will be handled at each building by the building principal.

### **Outside Employment**

No full-time staff member may accept any other employment or carry on any business or activity for profit that interferes with the complete and competent discharge of his or her responsibilities to the school district.

### **Political Activities**

District employees retain all rights of citizenship, including, but not limited to, engaging in political activities. An employee of the district may participate in the political process, including seeking an elective office, provided that the staff member does not neglect their duty to the district and does not campaign on school property during working hours. The district assumes no obligation beyond making such opportunities available.

While the District supports its employees by allowing them to exercise their rights, any impact on the employee's ability to perform his or her functions as required by the district is grounds for discipline. For further guidance regarding political conduct on school grounds, contact the superintendent and consult the board policies.

### **Pregnant or Parenting Students**

The school district encourages students who are pregnant, or parenting are encouraged to continue to participate in the district's educational and extracurricular programs. Students who anticipate deviations from their regular school experience or accrue absences due to pregnancy or parenting have been told to notify their building principal as early as possible to discuss their educational programming. The building principal will work with the student and appropriate district staff to develop a plan to assist the student in participating in district curriculum and extra-curricular activities. Such a plan may include the following considerations.:

1. If the student cannot regularly attend classes, the provision of online courses;
2. The arrangement of meeting times with teachers;
3. If the student has not identified appropriate childcare, the identification of childcare providers that meet statutory requirements for quality and care; and

4. All other curricular adjustments, modifications, and means of supplementing classroom attendance deemed appropriate by the school administrators including, but not limited to, modification of attendance policies.

### **Professional Boundaries Between Staff and Students**

All district employees must follow board policy when interacting with students in any way. School district employees are responsible for conducting themselves professionally and for teaching and modeling high standards of behavior and civic values, both at and away from school. District employees must be aware of professional boundaries between students and staff, and they must never blur the boundaries. These standards of behavior apply to social networking sites, such as Facebook, Twitter, Instagram, etc., along with communications and interactions of any kind between staff and students.

Examples of unprofessional misconduct include inappropriate sexual communications or interactions with students, meeting with students in private outside of school, and intruding on a student's personal space. These are a few examples of inappropriate behavior, not an exhaustive list. For further guidance, refer to the district's policies regarding professionalism and staff-student interactions.

Any teacher or student who witnesses or knows information about a district employee violating board policy should report the violation to the district administration *immediately*. Minor violations and questionable violations should be reported as soon as possible, but always within 24 hours.

A violation of board policies for professionalism will form the basis for employee discipline up to and including termination or cancellation of employment, filing a report with law enforcement officials, and filing a report with the Secretary of Education.

### **Professional Growth**

All employees must complete professional development training and shall be provided with opportunities for the development of increased competence beyond that which they may attain through the performance of their assigned duties.

In addition to this requirement, the superintendent will select in-service programming to provide additional professional growth activities for certified and classified staff.

### **Purchasing**

All requisitions for books and school supplies must be filed with the building principal. The requisition must include the name of the article being requested, where it may be purchased, how many articles are required and their cost. Requisition forms can be submitted through Weblink <https://wl.suionline.com/VermillionSD/Login.aspx?ReturnUrl=%2fVermillionSD>.

Orders should not be placed until the district office has issued a printed purchase order.

Once an order has been received, the staff members must notify the building secretary so payment can be processed. Failure to follow the procedure for requisitions may prevent the staff member from receiving the items requisitioned. All orders or supplies must be authorized by the administration. Staff may be personally liable for any orders placed without such authorization.

When routine supplies are needed for immediate use, staff should contact the building secretary. When it is necessary to make a special or emergency requisition for supplies or equipment, staff should contact the principal for the necessary forms. The superintendent will either approve or disapprove the request through the principal.

### **Records and Reports**

Staff members must refer to and comply with Board Policy regarding the management and maintenance of student records.

All staff members shall promptly furnish the administration with any information relating to their professional training, experience, activities, or work required for reports to county, state or federal officials or for official school records. Personal information will be treated confidentially by school officials.

### **Recordings of Students and Classrooms**

Staff members may make audio and video recordings of classroom instruction and school activities upon authorization of the superintendent or supervising administrator. Staff should refer to Board Policy 5063 for information on recording by students.

### **School Calendar**

The official school calendar is maintained in each building office. All activities and events must be scheduled and approved by the building principal. To avoid conflict, a sponsor should not call a meeting of any activity until the schedule has been checked and the meeting approved by the office.

### **School Property**

School property is not to be lent to individuals except by permission of the superintendent.

Staff or groups who wish to use school facilities should make requests to the building principal as early as possible so that they may be placed on the school calendar.

Staff must inform the building principal of any school property that needs repair or that is lost, stolen, or damaged beyond repair. Matters regarding

custodial service in the building should be handled through the principal's office.

### **School Vehicle Use**

The transportation of students in a pupil transportation vehicle is governed by the district's pupil transportation policy. School district employees, board members, and other elected or appointed school district officials who are not transporting children are authorized to use a school district vehicle to travel to a designated location or to their home when the primary purpose of the travel serves a school district purpose. Staff should refer to the board policy regarding the use of school vehicles.

### **Security**

Each staff member is responsible for the security of his/her own classroom or work area. Staff must lock the doors and windows of their classrooms and/or other work areas each night.

Staff members who use the building after it has been locked by the custodian or on weekends are responsible for turning off all lights and locking all windows and doors that they or students under their supervision may have used.

Under no circumstances are pupils to be allowed in the building after school hours without faculty supervision. Keys to any school areas are not to be loaned to students under any circumstances.

### **Smoking on School Premises or at School Activities**

The use or possession of any tobacco product, including cigarettes, cigars, or other tobacco or tobacco derivative products; vapor products or electronic nicotine delivery systems; alternative nicotine products; or any other such look-alike or imitation product, is not permitted on school property at any time.

### **Social Media Usage by Staff**

Social media is an important tool for communicating, keeping up to date with current developments in education, and for conducting research to enhance management, teaching, and learning skills. The district also uses social media accounts to provide information to district stakeholders. All staff members must refer to and comply with the board's policies regarding Staff Internet and Computer Use and Staff and District Social Media Use. Staff members who are uncertain about the applicability of board policy to a particular situation must confer with their supervising administrator prior to posting on social media.

## **Solicitation and Distribution of Merchandise**

In the interest of maintaining a proper school environment and preventing interference with school purposes, employees may not sell merchandise, solicit financial contributions, solicit, or distribute literature or printed material for any non-school related cause during working time or on school grounds.

## **Staff Room**

The staff room is maintained for the exclusive use and convenience of the staff. It is not for student use and staff members should not hold student conferences there. Each staff member will assume responsibility for keeping the staff room in an orderly and presentable condition.

## **Student Interviews**

Employees shall refer any police officer, child protective service worker, or other similar individual seeking to speak to or interview a student to an administrator.

## **Telephones**

School telephones are maintained for the primary purpose of conducting school business. Staff members should limit their use of school phones to brief conversations. Teachers will not be called on the telephone during class time except in the case of an emergency.

Staff members may not use personal cell phones to make or receive calls or to send or receive text messages during instructional time.

## **Threat Assessment and Response**

The board of education is committed to providing a safe environment for members of the school community. Students, staff, and patrons are urged to immediately report any statements or behavior that makes the observer fearful or uncomfortable about the safety of the school environment.

### **1. Definitions**

**A. A threat** is an expression of a willful intent to physically or sexually harm someone or to damage property in a way that indicates that an individual poses a danger to the safety of school staff, students, or other members of the school community.

1. The threat may be expressed/communicated behaviorally, orally, visually, in writing, electronically, or through any other means.
2. A **transient threat** is an expression of anger or frustration that can be quickly or easily resolved.
3. A **substantive threat** is an expression of serious intent to harm others which includes, but is not limited to, any threat which involves a detailed plan and means.

**B. A threat assessment** is a fact-based process emphasizing an appraisal of observed (or reasonably-observable) behaviors to identify potentially dangerous or violent situations, to assess them and to manage/address them. Threat assessment is the process of identifying and responding to serious threats in a systematic, data-informed way.

1. The threat assessment process is distinct from student disciplinary procedures. The mere fact that the district is conducting a threat assessment does not by itself necessitate suspension, expulsion, or emergency exclusion without complying with state law and board policy related governing those actions.
2. The threat assessment process is distinct from specialized instruction which a student with a disability may receive from the school district. The school district will not change a student's educational placement as that term is used in the Individuals with Disabilities in Education Act solely as part of a threat assessment.

## **2. Obligation to Report Threatening Statements or Behaviors**

All staff and students must report substantive threats to a member of the administration immediately and comply with any other mandatory reporting obligations. Staff and students who are unsure whether a threat is substantive or transient should report the situation. Staff and students must make such a report regardless of the nature of the relationship between the individual who initiated the threat or threatening behavior and the person(s) who were threatened or who were the focus of the threatening behavior. Staff and students must also make such reports regardless of where or when the threat was made, or the threatening behavior occurred.

THREATS OR ASSAULTS WHICH REQUIRE IMMEDIATE INTERVENTION SHOULD BE REPORTED TO THE POLICE AT 911.

## **3. Threat Assessment Team**

The threat assessment team (team) shall consist of the superintendent of schools, building principal(s), guidance counselor and local law enforcement. It could also include information technology staff, the school nurse, members of the mental health profession who would be willing to work with the school. Not every team member needs to participate in every threat assessment. If the threat has been made by or is directed towards, a student with a disability, the threat assessment team must include a staff member who is knowledgeable about special education services or Section 504 of the Rehabilitation Act, as appropriate. Neither the student nor their student's family members are part of the threat assessment team.

The team is responsible for investigating all reported threats to school safety, evaluating the significance of each threat, and devising an appropriate response.



#### **4. Threat Assessment Investigation and Response**

When a threat is reported, the school administrator shall initiate an initial inquiry/triage and, in consultation with members of the threat assessment team, make a determination of the seriousness of the threat as expeditiously as possible. The school administrator must contact law enforcement if the administrator believes that an individual poses a clear and immediate threat of serious violence.

If there is no reasonably apparent imminent threat present or once such an imminent threat is contained, the threat assessment team will meet to evaluate and respond to the threatening behavior. The team may, but is not required to, review the following types of information:

- a. Review of the threatening behavior and/or communication;
- b. Interviews with the individuals involved including students, staff members, and family members as necessary and/or appropriate;
- c. Review of school and other records for any prior history or interventions with the students involved;
- d. Any other investigatory methods that the team determines to be reasonable and useful.

At the conclusion of the investigation, the team will determine what, if any, response to the threat is appropriate. The team is authorized to disclose the results of its investigation to law enforcement and to the target(s) of any threatened acts. The team may refer the individual of concern to the appropriate school administrator for consequences under the school's student discipline policy or, if appropriate, report the results of its investigation to the student's individualized education plan team.

Regardless of threat assessment activities, disciplinary action and referral to law enforcement will occur consistent with board policy and South Dakota law.

#### **5. Communication with the Public about Reported Threats**

The team will keep members of the school community appropriately informed about substantive threats and about the team's response to those threats. This communication may include oral announcements, written communication sent home with students, or communication through print or broadcast media. However, the team will not reveal the identity of the individual of concern or of any target(s) of threatened violence unless permitted by law.

#### **Transportation Request Forms**

Staff members must complete transportation request forms as soon as they know they need school-provided transportation to allow adequate time to schedule drivers and vehicles.

## **Visitors**

Staff should welcome members of the public who wish to visit school but should ensure that visitors follow the district's requirements.

All visitors must report to the building office before visiting any classroom or other areas of the building.

Visitors must comply with the following guidelines:

- a. if a visitor wishes to observe a specific skill or subject, he or she will be asked to observe during a specified time period.
- b. children under the age of 10 years must be accompanied by a parent or guardian.
- c. all visitors must have the prior approval of the principal or superintendent.
- d. salespeople and other such agents will not be allowed to solicit staff members during school hours.
- e. visitors must wear the visitor's badge supplied by the building office.

## **Wage and Salary Payments**

Staff members are paid on the 20th of each month. The district provides direct deposit of paychecks to designated financial institutions. Otherwise, paychecks will be delivered personally to school or mailed to the address on file in the district office. Staff who wish to activate or modify their direct deposits or who wish to have paychecks mailed to a different address must contact the district office. The school district will mail staff paychecks to the last address on file for each employee during months when school is not in session. Employees shall not be paid in advance under any circumstances.

All required deductions, such as for taxes and retirement contributions, and all authorized voluntary deductions, such as for insurance or union dues, will be withheld automatically from your paychecks. Garnishments are legal proceedings imposed by a court of law upon the school district requiring payment to a third party of monies earned by district employees. The school district will accept all legal garnishments and tax levies against wages in compliance with state and federal law. An employee's pay will be held upon receipt of a garnishment until a court order is issued indicating satisfaction of the indebtedness or until ordered to surrender the monies to the court or its agent. The school district prohibits improper pay deductions, and employees shall be reimbursed for any improper pay deductions. If you believe that an improper deduction has been made to your pay, you should immediately report this information to your direct supervisor, payroll personnel, or the Superintendent.

## **Weather-Related Closings**

If school is called off because of bad weather or for any other reason, it will be announced via School Messenger.

Parents may decide to keep their children at home in inclement weather because of personal circumstances. Students absent because of severe weather when school is in session will be marked absent. Staff members should treat the absence like any other absence for legitimate causes provided parents properly notify the school of their decision. Parents may pick up their children in inclement weather (except in case of a tornado) at any time during the school day. Students will not normally be dismissed from school during severe weather on the basis of a telephone request.

### **Workplace Searches**

To safeguard the property and interests of our students, employees, and patrons; to help prevent the possession, sale, and use of illegal drugs on school grounds, and in keeping with the spirit and intent of the district's drug-free workplace policy and other policies, the school district reserves the right to question employees and all other persons entering and leaving our premises, and to inspect any packages, parcels, purses, handbags, briefcases, lunch boxes, or any other possessions or articles carried to and from school when it has reasonable grounds to do so. The school also reserves the right to search any employee's office, desk, files, locker, or any other area or article on school grounds. All offices, desks, files, lockers, and so forth, are school district property and are issued or provided for the use of employees only during their employment with the district. Inspections may be conducted at any time at the discretion of the administration. Employees who refuse to cooperate with this provision will be subject to disciplinary action up to and including discharge.

## **POLICIES AND PROCEDURES REGARDING CERTIFIED STAFF**

### **Absences**

The accumulation of leaves for teaching staff is governed by the Negotiated Agreement between the Board of Education and the Education Association. This handbook sets forth the process for using that leave.

#### **1. Sick Leave**

Certified staff members who are too ill to perform their teaching duties must contact their building principal by 6:00 a.m.

#### **2. Personal Leave**

Certified staff who wish to take personal leave must submit a leave request to their building principal at least three days in advance of the proposed leave. Building principals may deny personal leave requests if the school district is unable to secure the services of a qualified substitute teacher on the day of the proposed leave. Certified staff may be denied leave on Parent/Teacher Conferences and PLT/PD in-service days.

#### **3. Professional Leave**

The board and administration recognize the value of continuing education and encourage certified staff to participate in seminars, workshops and other activities which will continue their professional growth. Certified staff members who wish to take professional leave must submit a leave request to their building principal, along with a description of the proposed event and any written materials about the event. Building principals may deny requests for professional leave if they are unable to secure the services of a qualified substitute or if the principal determines that the activity will not enhance the certified staff member's effectiveness as an employee of the district. Certified staff members who feel they have been unfairly denied professional leave may grieve the principal's decision, pursuant to the grievance procedure contained in the district's Negotiated Agreement.

#### **4. Substitute Folders**

Each teacher must prepare a substitute folder and keep the completed folder on his/her desk or an electronic version. The folder must contain:

- a. the current seating chart for each class;
- b. the daily routine followed by each class;
- c. all schedules (fire drill procedures, lunch schedule, etc.);
- d. a copy of this handbook; and
- e. plans for the day if the teacher's absence was anticipated. (These plans are in addition to the teacher's regular lesson plan book.)

Certified staff members may make arrangements for their own substitute when putting in leave on Red Rover.

### **Assemblies**

Classroom teachers must attend assemblies and pep rallies and sit with students to help maintain order.

All certified staff members should attend school assemblies and should try to attend as many of the school functions as possible regardless of whether they have specific assigned duties or not.

### **Assignment Agendas**

Assignment Agendas are utilized in elementary and middle school to function as students' make-up slips, as well as a pass out of class or to see another instructor. They can also be used as a communication tool home to parents. Students may not be in the hallways during class time without his/her assignment agenda signed by the instructor. Every time a student leaves class during class time, it should be signed. This way, other staff can ascertain where the student has permission to be. High School students utilize electronic passes for hallway, restroom, and locker visits.

Students may not go to another classroom without a signed pass obtained from that teacher. No student may be in the halls during class or study time without a signed pass for a specific destination. If a teacher retains a student after the period ends, staff must write a note in the student's assignment agenda stating why the student was late, rather than sending the student to the office for a tardy slip.

### **Assignment of Teachers**

The administration will assign certified staff to individual duties. Certified staff will also be assigned for various forms of hall, extracurricular, recess, traffic, lunch period and other noontime duties, and athletic events.

### **Certificates, Teacher Contracts, Salary Information**

Teaching certificates must be registered with the Superintendent before they may legally be paid. It is the certified staff member's responsibility to make sure this is done.

Each certified staff member must provide the administrative office with the required payroll documentation.

Each new certified staff member must fill out forms for retirement benefits before the first pay day as well as the family coverage of the district hospital/medical insurance program.

It is the sole responsibility of the certified staff member to inform the administrative office of any changes, including but not limited to changes in certification, endorsements, benefits plans, and salary payment information.

### **Cheating**

Students caught cheating (including plagiarizing) must be sent to the building principal for administrative discipline. The classroom teacher may also give the cheating student a zero grade for the test or assignment.

### **Check-out Forms**

All certified staff must complete a check-out form and obtain the building principal's signature on the form prior to departing for the summer. Classrooms must be tidy to allow the custodial staff to clean classrooms and work areas.

### **Class Record Books**

A class record book is the school's official record of matters relating to each student in each teacher's class. It may be maintained in paper or electronic form and must be complete in scope and accurately maintained. All classroom teachers are required to keep class record books which list students in each class in alphabetical order and show the attendance and all grades earned by each student. Record books are subject to examination by the building principal or superintendent at any time.

### **Classroom Management and Student Discipline**

Classroom discipline is first and foremost the responsibility of the classroom teacher. Individual teachers are expected to assume responsibility for good discipline throughout the school system. However, if a certified staff member needs assistance with student discipline, they should seek the advice and counsel of the principal or superintendent.

Classroom teachers may not leave their classrooms unless the students are supervised by a competent adult.

Classroom teachers may not close the door to their rooms until they have left the building or unless they are sponsoring some other group in other areas.

Classroom teachers should have a well-defined discipline plan that is known to the students. Rules and consequences should be stated clearly and posted where appropriate.

Each building has its own specific procedures concerning student discipline. Classroom teachers should consult with their building principal for more information.

Teachers may remove a student from the classroom for failure to comply with established rules of conduct. Only an administrator can suspend or expel students from class or school and due process must be followed.

Students may be kept after school for matters relating to discipline or to assist in their academic progress. Certified staff should allow all elementary students and junior/senior high students who ride the bus to arrange parental transportation for the next day with their parents. Students who do not have transportation concerns may be kept without delay. Students may not avoid being kept after school because they have an after-school practice or other school activity.

Both elementary and secondary certified staff are responsible for assisting with hallway discipline between classes and in the school lunchroom.

Classes should begin on time and end promptly. Work should continue throughout the period assigned for it. Classroom teachers have no right to waste the pupils' time. Classroom teachers may not dismiss classes early except with permission of the building principal.

Staff members may never send a student off school grounds without the authorization of the building principal.

### **Classroom Sanitation**

#### **1. Handling of Body Fluids**

All body fluids of all persons should be considered to potentially contain infectious agents (germs). Hand washing after contact with a school child is recommended if physical contact has been made with any child's blood or body fluids. The term "body fluids" includes blood, semen, drainage from scrapes and cuts, tears, feces, urine, vomit, respiratory secretions, and saliva.

#### **2. Diseases**

Certified staff should promptly report any indication of an infectious or contagious disease to the school nurse or building principal. Certified staff should report to the school nurse or the student's parents any pupil whom they suspect of having been exposed to any infectious or contagious disease.

### **Coaching Supplies**

Coaching supplies will be distributed by the athletic director. Such items include tape, rewrap, heel pads, band aids, ankle braces, game balls, etc. Coaches should request additional supplies from the activities director only when they have run out of supplies.

Coaches must fill out and submit inventory forms to the activities director immediately after the season is complete.

### **Collection of Student Money**

Staff members must comply with the school district's student fee policy before collecting any funds from students.

Money collected from students should be turned into the office on the day it is collected for deposit in the proper activity or school district fund. Any checks written by students or parents for various payments should be made out to Vermillion School District, unless otherwise instructed. Certified staff must submit a financial accountability form when they turn funds into the office.

When students purchase items such as coats, rings, etc., through the school district, they must pay for these and other major items before the order is sent. The sponsor of any school organization is not to give merchandise to students; items will be distributed by the office after proper payment.

### **Community Involvement**

Certified staff are encouraged to take part in civic affairs in the community and must do so when required by state law and board policy.

### **Computer Lab**

Students and staff who use computers owned by the district must abide by the district's acceptable use policies. Students may use the computer lab during lunch and after school.

Classroom teachers may not send students to the computer lab during study halls or class unless they have made prior arrangements with the lab coordinator.

Classroom teachers who wish to bring classes to the computer lab must sign up as far in advance as possible with the lab coordinator. Absolutely no food or drink is allowed in the computer lab.

### **Display of Classroom Work in the School and the Community**

Classroom teachers are encouraged to display student work for public viewing. Students and parents enjoy viewing the display and may be even more supportive of their school because the display shows them many of the things the students do. Classroom teachers may use the window area of the central office or the commons area to display student work or they may use it during a night activity. Certified staff must contact the principal before displaying student work at an evening activity.

### **Duties of Certified Staff**

The duties of certified staff include, but are not limited to, the following:

- a. Becoming acquainted with board policies, district rules and regulations, and the state laws concerning teachers and pupils.
- b. Attending such education conferences is required by law or administrative directives.
- c. Attending school assemblies unless excused by the principal.
- d. Instructing pupils in the proper use of equipment and instructional supplies.
- e. Reporting in writing to the principal of any injury to any child while under the jurisdiction of the school, including athletic injuries.
- f. Complying with the Teachers Professional Code of Ethics which has been promulgated by the South Dakota Department of Education and adopted by the Board of Education of the district.
- g. Discussing a student only with the child's parents and the superintendent, principal, guidance counselor or classroom teachers who may know the circumstances and have a need to know. It is unprofessional and inappropriate to discuss students or other staff members in the staff lounge.



- h. Being responsible for students whom they keep in school at times other than during regular school time. Certified staff will be responsible for any special work done by their students, including field trips, joint assemblies, school programs, etc.
- i. Refraining from joining book clubs or film clubs using the school's name.
- j. Turning in all monies collected to the main office by the end of the school day.
- k. Clearing all class meetings or trips through the principal's office.
- l. Participating in Student Assistance Teams pursuant to board policy.
- m. Assisting with the administration of standardized testing as assigned by the administration.
- n. Provide homebound instruction as assigned by the administration.
- o. Performing additional duties as assigned by the administration.

### **Eligibility Grades 7-12**

Vermillion High School students who are academically ineligible by local standards, who has achieved the local eligibility GPA standard during the first nine-week period of the semester of ineligibility, may on their own initiative meet with the School Board requesting reinstatement for probationary eligibility for the second nine-week period of the semester of ineligibility. Reinstatement requests will be reviewed individually, and a decision rendered based on the circumstances of the situation.

- A. In order to participate in Vermillion 7<sup>th</sup> and 8<sup>th</sup> grade activities/athletics, a student must:
  - 1. Have a GPA of 1.5 from the previous nine weeks to be eligible for the following nine weeks. The 1.5 must be an average of all semester length courses the student is taking.
  - 2. A student with less than a 1.5 average for a nine-week period has ONE GRACE PERIOD, ten (10) school days per year, in which to bring up and maintain the 1.5 GPA. If the student is successful, he/she will be allowed to continue public participation in contests. Grades will be checked every two weeks. If the student has not raised the grade to 1.5 by the end of the grace period, the student will become ineligible for the remainder of the nine weeks. A student who is ineligible is still allowed to participate in practices.
  - 3. Students considered to be participating on a high school team will fall under high school eligibility requirements. Should a middle school student considered to be on the high school team or squad become ineligible, said student will be ineligible to participate on a middle school team, activity or sport should it still be in progress.

## **Extracurricular Activities**

Staff must schedule all events and other extracurricular activities at the activity director's office to avoid conflicts. Activities must be put on the school calendar located in the activity director's office at least one week before the activity. Staff should avoid or shorten practices and activities on Wednesday evenings and Sundays, in order to give students sufficient time away from school for family-related activities.

Certain activities require time to be scheduled outside regular school hours. Any school sponsored activity involving students must have approval of the principal prior to the activity, including all fund-raising activities.

Regular classroom work in all grades will take precedence over any other activity. Students will not be dismissed from classes to participate in extracurricular activities without permission from the principal. Make up slips must be completely signed and returned to the sponsor of the activity prior to dismissal from class. All evening activities, except practices, must have no less than two school sponsors. Non-school sponsors must be approved by the administration. If vehicles are used for transportation, the drivers must be adults who have been approved by the school.

The activities director has responsibility for all activities. Therefore, any ruling or handbook decision he/she makes will be school regulation in lieu of further board action.

No student may participate in a field trip off school property without written permission of his or her parent or guardian.

## **Evacuations**

Early in the semester, classroom teachers should review instructions for leaving the classroom with all their students. Classroom teachers should also periodically review with each class what to do in case of fire, tornado, or other emergency.

### **1. Fire Drills**

Fire drills will be held on a regular basis. Certified staff may or may not be notified in advance. These drills are important exercises that help ensure the safety of students in case of an emergency.

When the fire alarm is sounded, all students and staff immediately must cease the activity in which they are engaged and leave the building at once, following these regulations:

- a. Students nearest the windows will close them before leaving.
- b. The classroom teacher will be the last to leave the room. He or she will turn out all the lights and close the door as he or she leaves.
- c. Classroom teachers will take their fire drill packets and class grade books with them when they leave their classrooms.
- d. The first two students reaching the exit doors will hold the doors wide open until everyone has filed out.

- e. Staff and students will move far enough away from the building to avoid possible injury from fire and falling embers, and, to remain clear of emergency vehicle traffic.
- f. Once outside, each teacher must account for every student in the class.

The signal to return to the school building will be the short bell. It will be sounded upon completion of the drill. Students will return in an orderly manner.

## **2. Tornado Drills**

When a tornado warning has been issued, the school will evacuate classrooms and move students to the designated tornado shelters. Tornado alerts will be given via the intercom system. When a tornado alert is given, all students and staff immediately must cease the activity in which they are engaged immediately and seek shelter, following these regulations:

- a. All students and staff should proceed to the designated tornado shelter.
- b. Once in the designated area each teacher must account for every student in the class.
- c. Classroom teachers should be sure that each student will get down low with their head against the wall and use arms to protect their head and neck.

## **3. Protocol for all Evacuations**

Upon evacuation signals, all students and staff must exit each building. Classroom teachers should do the following:

- a. Take the class roster;
- b. Keep the class together and move promptly in an orderly fashion; and
- c. Upon arriving at the evacuation point, take roll, maintain order, and supervise students.

## **Examinations**

Semester examinations will be given in all classes, tests, and final exams will not be given ahead of time. Students are not to type tests or grade any major tests.

## **Faculty Meetings**

The superintendent and principals will call meetings as needed. Certified staff are required to be present at all faculty meetings unless excused by the administration.

## **Field Trip Request Forms**

Certified staff who wish to take students off school property must submit a request to the building principal at least ten calendar days prior to the date of

the requested activity. Elementary grades will be limited to one field trip per year. Additional requests may be granted on a case-by-case basis.

### **Grading Policy**

Failing reports for Jr.-Sr. High School students must be turned into the office.

Grades are given as a letter or percentage as requested by the building principal. No incomplete or condition grades will be given, but grades may be changed by request of the classroom teacher to the principal. If a student fails the first semester and passes the second semester, a classroom teacher may pass a student for the full year.

A student is to be graded on academic performance. **A student's grade is not to be reduced for discipline.** Prejudice or favoritism has no place in grading a student. All grading should be explained in simple, understandable terms to the student.

Classroom teachers should provide students and parents with frequent updates regarding the student's progress during the quarter. At the conclusion of each quarter, students will receive an end-of-quarter report card. Classroom teachers should use the following symbols for each subject area:

All schools grading system is as follows:

A	Superior	100% - 90%
B	Above Average	89% - 80%
C	Average	79% - 70%
D	Unsatisfactory/Below Average	69% - 60%
F	Failing (no credit)	59% - 0%
I	Incomplete	

A student may earn an incomplete when he or she fails to complete classroom assignments. Any student in grades 7-11 who receives an incomplete will have this grade recorded on his/her permanent record until the required work is completed to the teacher's satisfaction. If a student does not remove an incomplete by completing the minimum classroom assignments, the incomplete will be calculated as a failing grade in determining the student's grade point average.

If a student does not remove an incomplete by completing the necessary work within two weeks of the end of the grading period, the incomplete will become a failing grade that the student may make up only by taking the entire course again. The two-week period may be extended by mutual agreement of the teacher, principal, and student.

A student who receives an incomplete during his/her senior year must satisfactorily complete the classroom assignments to participate in the graduation ceremony. Seniors with incompletes will not be dismissed from school attendance until the classroom assignments are completed to the teacher's satisfaction.

### **Guest Lecturers**

Guest lecturers must be approved by the administration before they are asked to address a class. The guest lecturer must have a specific, relatable objective in his/her lecture.

### **Hall Duty**

Every classroom teacher is on hall duty before school in the morning and between classes. Classroom teachers are responsible especially for the part of the hall adjacent to their classrooms.

### **Homework Policy**

Homework is an important part of student learning. When parents, teachers, and students work together, out-of-class assignments are a valuable part of the instructional program. Homework should provide opportunities for students to practice acquired skills, develop initiative, form independent study habits, and use community resources.

### **Infinite Campus**

All teachers/classroom aides will be required to use Infinite Campus. Attendance will be taken as follows: Elementary – at the beginning of the morning, and right after lunch; and Secondary – at the beginning of every period. Attendance must be taken within the first five minutes of each period / beginning session. Lunch count will also be taken with Infinite Campus.

A "comment bank" will be developed for comments on progress reports, report cards, and discipline reports at a later date. You may use the "comment bank" or enter your own free-form comment.

Classroom teachers are not permitted to install Infinite Campus on their home computer.

Certified staff who have trouble/problems with Infinite Campus, should contact Ashlie Jacobs ([Ashlie.Jacobs@k12.sd.us](mailto:Ashlie.Jacobs@k12.sd.us)) or place a support/request ticket in <https://members.k12.sd.us/in/Support/RequestForHelp.aspx>.

### **Instructional Materials**

Instructional materials are made available through the Education Service Unit. A catalog and order forms will be made available to all members. Films should be used as instructional materials. All media must be previewed for suitability by the classroom teacher before being shown to students.

### **Lesson Plans**

Each teacher will prepare and complete a proper lesson plan on Friday for the following week. These plans must be written so that they are clear to any

substitute teacher and readily available to any teacher. An up-to-date seating chart of the class or classes shall be part of the lesson plan book.

Other rules regarding lesson plans will be made by individual building principals. The lesson plans of all classroom teachers are subject to review from the building principal or other members of the school district's administration at any time.

Lesson plans must **identify major instructional objectives and show page assignments and general direction that might be followed by anyone who might be called upon to teach the classes.**

Lesson plans for the upcoming week must be turned in/format at the discretion of the building principal.

### **Media Center**

The media center is set up to serve the needs of certified staff and students. Certified staff who need assistance with textbooks, literature sets, magazines and other reference materials should consult with the media specialist assigned to their building.

Students may use the media center during study halls, at lunch, after school and in the evenings. Classroom teachers may send individual students to use the media center during class time but should contact the media staff before sending a group of students during class.

The media staff may send disruptive students back to class or study hall or may exclude unruly students from the media center for a specified period of time. Classroom teachers who send their entire class to the media center must accompany and supervise the students unless prior arrangements have been made with the media specialist.

Audiovisual materials are available to certified staff through the media center. Certified staff may obtain these materials by filling out the required requisition form and sending it to the media specialist in their building. When certified staff return the media, they should complete the film report card and return it to the media specialist.

### **Paraeducators**

Paraeducators provide valuable assistance in the educational process and allow teachers to carry out their responsibilities in a more efficient and effective manner. A paraeducator must not, however, assume teaching responsibilities. The classroom teacher must maintain the role of leadership and responsibility for the students, with the teacher aide in a supportive role.

Paraeducators may be used to assist the classroom teacher by, among other tasks, assisting with instructional activities under the direction of the teacher, helping to supervise students, copying tests and other written material, organizing class materials, preparing bulletin boards, grading tests, or class work, and calculating and recording grades. Paraeducators are to work only on and within their assigned workdays. If the classroom teacher desires

the paraeducator to work hours other than the assigned work hours or assigned workday, he or she must contact the administration for approval.

### **Parent-Teacher Communication**

Students' academic success has been closely linked to parental involvement in school. Certified staff should strive to develop open and supportive relationships with parents and guardians. Each classroom teacher is responsible for keeping a student's parents informed about the student's progress. This may be done by letter, telephone, e-mail, or personal conference.

Certified staff must attend parent teacher conferences, promptly return phone calls, participate in teacher events for students and parents, and where necessary utilize a planner as a communication tool. Certified staff who need additional support in communicating with parents should contact their building principal or guidance counselor.

### **Parties**

1. No activities or picnics shall be held by an organization of the school without the presence of the sponsor or sponsors.
2. The number of activities and the closing hour for activities will be determined by the building principal and organization sponsor.
3. In making arrangements for activities and picnics, staff must avoid disturbing the routine of the school.
4. Cleaning up after the activity is the responsibility of the sponsor.

### **Planning Time**

Each classroom teacher is provided with duty-free time for planning, preparation of school-related materials, and a brief respite from the duties of the day.

The Board defines planning time as time for educational planning and other task-related functions that cannot normally be accomplished during instructional periods. Planning time should not be confused with personal time.

**Planning time is not to be used for running personal errands, conducting personal business, or pursuing non-school hobbies and/or interests.**

### **Private Tutoring**

Classroom teachers must provide individual assistance to students as a part of their duties. Any certified staff member who engages in private tutoring for pay (compensation of any kind from a source other than the district) is subject to the following rules:

1. Certified staff will not solicit a student or parent to retain the teacher as a tutor and shall not act as a tutor for pay or other remuneration for any student who is then enrolled in any class taught by that teacher.
2. Certified staff will not act as tutors for pay or other remuneration except upon prior approval of the building principal and superintendent or designee.

### **Pupils' Records**

1. Each classroom teacher must keep a set of records in the daily class record book of the class recitations, tests, exams, daily work, notebook, etc. This serves as a justification of the final grade in case of dispute between teacher and pupil, or teacher and parent, and assists in making out the final grades. This book must be turned into the principal at the end of each school year.
2. Report cards will be issued within one week following the end of the quarter unless otherwise announced.
  - a. Reports should be conscientiously and accurately made because they are a serious estimate of the degree of success of the pupil.
  - b. Each classroom teacher should be adequately prepared to defend all decisions given on the report card.
  - c. Each classroom teacher is responsible for distribution of class cards on time.
  - d. Classroom teachers must confer with the principal before recording any incomplete, failing, or conditional grades on report cards.

### **School Day**

The elementary and middle school day typically begins at 8:20 a.m. and ends at 3:12 p.m. The high school day typically begins at 8:30 a.m. and ends at 3:30 p.m., except for Thursday block day.

Students are to leave the school grounds after dismissal. School staff will provide supervision for students on school grounds beginning at 8 a.m. and until 4:00 p.m. at the end of the day. In addition, certified staff may be assigned responsibilities at other hours by the principal or superintendent for supervising or directing school activities or affairs or for participation in affairs under the direct sponsorship of the school.

Each teacher will be in his or her classroom and ready to teach at 8:00 a.m. each day. Classroom teachers will stand at their doors when class is dismissed and must be outside their classroom doors before each class period. Classroom teachers must always be physically present in their classrooms during class periods and conference periods.

Personal work may not be done during school time.



## **Sponsors**

Certified staff members are hired as class and club sponsors in accordance with the negotiated agreement. Sponsors must be present at all meetings and activities of the sponsored group. The procedure for activity accounts and meetings can be found in the student manual. Purchasing supplies must be approved by the Activities Director or building principal.

## **Student Activities**

Staff members who sponsor extracurricular activities such as athletics, class plays, and class activities may leave the school building only after making sure that all students and other individuals have left the building. No student is to be left unattended in the school building at any time.

School-owned clothing or equipment that is checked out to students remains the property of the school. The clothing or equipment is not to be used or worn by the student except for its intended use. Each piece of equipment or clothing is to be returned to the instructor or coach when the season or the use for such clothing or equipment is over. Certified staff will be held responsible for clothing and equipment that is not returned.

## **Student Attendance**

Students are expected to arrive at each class, be seated and ready for instruction prior to the beginning of the class day or class period, as appropriate. Student tardiness is the classroom teacher's professional responsibility. Classroom teachers must insist that students be on time.

Each teacher must maintain an accurate record of student attendance each day. Classroom teachers must carefully check and record attendance information at the beginning of each school day and, in upper grades, at the beginning of each period. Students and student assistants are not permitted to check attendance. Excessive absenteeism should be reported to the building principal or guidance counselor.

Students returning from an absence must report to the office prior to going to class. A returning absentee must show each classroom teacher the admittance pass that was issued by the school office. No student should be accepted back into class after an absence without this pass.

A student who departs school during the school day must report to the office and sign out before leaving the building. A student who returns during the school day must sign in at the building office before returning to class.

## **Student Attire**

The responsibility for proper daily grooming and dress is primarily the responsibility of students and parents/guardians. However, certified staff members must insist that students do not remain in school while wearing attire that violates the dress code set forth in the Student Handbook.

Classroom teachers must report students who are not in compliance with the dress code to the building principal. The final decision on what is considered proper grooming and appearance is the responsibility of the building principal.

### **Student Illness**

In the event of student illness or injury, classroom teachers should notify the building principal or superintendent immediately. Staff should never send a pupil home without notifying school officials and checking to see if his/her parents are home.

### **Student Medication**

No staff members other than the school nurses or certified med aides may dispense medications (prescription or over the counter) to students at any time. Students may, with written parental or guardian permission, self-administer medications such as aspirin and cough syrup or cough drops.

The school nurses or certified med aides are not authorized to dispense prescription medicine without an agreement with a parent or guardian to provide a prescription container for the medicine that includes a pharmaceutical label, the physician's name, a child guard cap, and directions for administering the medication.

After receiving the medication, the school nurses or certified med aides should lock the medication in a cabinet or place it in an area where access is restricted to school employees only.

### **Student Searches**

Certified staff members may not search for students or their belongings. If a staff member suspects that a student is in possession of contraband, he/she should immediately contact a member of the administration and supervise the student until the administrator arrives. Students who are suspected of having an item in violation of school rules may be directed to wait with a staff member.

### **Substitute Teaching During Planning Period**

Certified staff may be required to substitute during their planning period. When acting as a substitute teacher or substitute administrator during a teacher's duty-free preparation time, the teacher will be paid \$20.00 per hour, rounded to the nearest 0.25-hour increment.

### **Teacher Assistant**

Teacher assistants are to be directly supervised by the certified staff members and are not to leave the building or be in the halls or anywhere they are not being supervised. Teacher assistants are not to be used to assist the certified staff member by helping supervise another student, grade tests or

class work, calculate student grades, or record grades. Keys are NEVER to be given to students, whether they are teacher assistants or not. A teacher assistant should not be present and assisting a certified staff member without another adult present after the end of regular teacher duty hours.

### **Teaching Controversial Issues**

Teachers may teach or lead discussions about controversial issues if they comply with the following criteria:

1. The issues discussed must be relevant to the curriculum and be part of a planned educational program.
2. Students must have free access to appropriate materials and information for analysis and evaluation of the issues.
3. The teacher must encourage students to consider and discuss a variety of viewpoints.
4. The topic and materials used must be within the range, knowledge, maturity, and competence of the students.
5. Teachers must refrain from advocating partisan causes, sectarian religious views, or selfish propaganda through any classroom or a school device; however, a teacher shall not be prohibited from expressing an opinion if the student is encouraged to reach his/her own decision independently.

### **Textbooks**

Classroom teachers will issue textbooks to the pupils, keeping a record of the number and condition of the book assigned to each pupil. If the books are new, classroom teachers must make sure the books are stamped and numbered before distribution.

Textbooks are to be stored in the classroom or storeroom. Textbooks are to be checked out to the students with teachers keeping an accurate record of each book by number in the place provided in grade books. Pupils are to pay for lost or damaged books. Student textbooks must be covered with a book cover.

Workbooks do not become the property of the students and in most cases should be retained by the school.

### **Ticket Taking**

**All certified staff will be expected to take tickets at one time or another for home events.** Staff members who coach a sport may take tickets at an event they do not coach. Staff members who are unavailable to take tickets at the event they are assigned to work must find their own replacements and notify the building principal of who will be taking their place.

## **POLICIES AND PROCEDURES REGARDING CLASSIFIED STAFF**

### **At-Will Employment**

Classified staff members are employed “at-will.” Either you or the school district may terminate your employment at any time, for any reason, with or without cause or notice. This handbook is not a contract, express or implied, guaranteeing employment for any specific duration.

### **Bereavement Leave**

A classified employee may take up to three (3) consecutive workdays with full compensation for funeral leave due to death in the teacher’s immediate family, provided that the approval of the building principal, or his/her designee, is obtained. After that, an additional twelve (12) days may be used, upon the approval of the principal, for bereavement of that death which will be taken from the employee’s accumulated sick leave.

A classified employee may take up to one (1) workday with full compensation for funeral leave due to death where there has been a close association, provided that the approval of the building principal, or his/her designee, is obtained. After that, an additional four (4) days may be used for bereavement of that death which will be taken from the employee’s accumulated sick leave.

### **Holidays**

Classified employees will generally be required to work their regularly scheduled hours the workday preceding and the workday following the holiday in order to be eligible to receive holiday pay.

When a holiday falls on Saturday, the proceeding Friday will be the holiday. When a holiday falls on Sunday, the following Monday is the holiday. This aforementioned is valid only when school is not in session. If school is in session, a substitute day will be provided at the discretion of the employee’s supervisor. Employees will receive their holiday pay during the pay period when they take the holiday. The following are paid holidays and amount of time allowed for each:

<b><u>EVENT</u></b>	<b><u>DAYS OFF WITH PAY</u></b>
New Year’s Eve	0.5
New Year’s Day	1.0
President’s Day	1.0
Good Friday	1.0
Memorial Day	1.0
Juneteenth Day	1.0
Independence Day	1.0
Labor Day	1.0
Thanksgiving Day	1.0
Friday after Thanksgiving	1.0
Christmas Eve	1.0
Christmas Day	1.0

## **Hours**

Work hours vary with the classified staff member's department and position. Meetings will occasionally be scheduled before or after normal working hours. It is vital that the district's employees arrive at work punctually and consistently. Staff members who are chronically late or excessively absent will be disciplined, up to and including discharge.

## **Overtime and Compensatory Time**

Those employees who are authorized and who work more than 40 hours per week will be paid 1½ times their hourly rate. Employees must be given authorization by the superintendent, business manager, or supervisor prior to working overtime hours. Payment of overtime hours shall be governed by the Fair Labor Standards Act.

## **Personal Leave**

Classified employees who have work agreements for nine months or longer and who work 30 hours per week or more shall receive three personal leave days with full compensation.

A classified employee with greater than ten (10) years employment with the Vermillion School District may receive one (1) additional personal leave day each year by trading two (2) current year sick leave days with written request. Prior year accumulated sick leave or sick leave bank days may not be used for this purpose. There must be at least two (2) sick leave days remaining for the employee to trade days for purposes of this policy.

Classified employees must request personal leave from their supervisor prior to taking such leave. Supervisors may approve or deny the personal leave request.

Up to one (1) day of unused personal leave may be carried over to accumulate to no more than four (4) personal days for the next year. Up to four (4) days may be compensated at a rate of \$50 per day for unused personal leave days. Any other remaining unused and not reimbursed days or half-days will be credited to the employee's accumulated sick leave at the end of the contract year.

## **Reporting When School is Closed**

When school is closed due to inclement weather, classified staff should report to work based on their positions:

- a. Secretaries/Clerical staff** should report to work unless specifically directed by their building principal or the superintendent.
- b. Paraprofessionals** should not report to work unless teaching staff are asked to report.
- c. Food Service staff** should not report to work.
- d. Bus Drivers** should not report to work.
- e. Custodians/Maintenance staff** should report to work.

**OR**

Unless the superintendent directs otherwise, staff shall not be required to report when school is canceled due to inclement weather.

Emergency Dismissal and/or School Closing shall be defined as any situation that constitutes a clear and present danger to the health, safety, and welfare of the students, teachers, and district employees in the school.

Reporting times for delayed starts and dismissal times for early dismissals will be determined by the Superintendent, in their absence, high school principal.

**Sick Leave**

Full time employees (employees working 30 hours or more per week) contracting or incurring any non-service-connected sickness or disability which renders such an employee unable to perform the duties of his/her employment, shall receive sick leave with pay.

A qualified physician's statement verifying the necessity for continuous days of absence beyond three (3) successive days may be required. A qualified physician's statement verifying the necessity for continuous days of absence beyond three (3) successive days may be required.

Employees shall be eligible for sick leave after thirty (30) days of service with the employer.

Employees shall be allowed yearly sick leave according to their contracted length of employment:

12 months – 12 days per year

10 months – 11 days per year

9 months – 10 days per year.

Employees shall start to earn sick leave from their date of hire, and they shall accumulate sick leave as follows:

12 months – two hundred (200) days

10 months – one hundred ninety (190) days

9 months – one hundred seventy-nine (179) days.

Five (5) days per year may be used for family illness.

Sick leave shall be granted to employees when they are incapacitated and cannot perform their duties due to sickness, injury and confinement, or treatment. Any absence for person or family illness is to be reported in Red Rover.

**Sick Leave Assistance Program**

There shall be established, among and for the support staff of the Vermillion School District, a sick leave bank which will be administered according to the following guidelines:

- a. Participation in the sick leave bank shall be mandatory for new employees employed after November 30, 1991.

- b. Each classified staff member contributes a minimum of two (2) days up front and one (1) day per year. The annual one (1) day collection will be suspended when the total bank days accumulate to six hundred (600) days and collection will be reinstated when the total bank days drop to four hundred (400) or less.
- c. An open voluntary enrollment for participation in the sick leave bank will be held until June 30, 2007, for all current employees wishing to be grandfathered into the bank. Employees electing not to participate in the bank at this time will not have the option at a later date.
- d. Employees may not become a receiving member of the bank until they have completed one (1) year of employment.
- e. No single individual may receive more than ten (10) days from the bank in anyone (1) year.
- f. Time granted from the bank must be for the employee's personal illness and approved by the business manager. The business manager shall consider only written requests signed by the employee or the employee's next of kin, and such requests shall be accompanied by a physician's certificate attesting to the illness of the employee. Requests should be submitted by the first of the month in which the bank leave is requested.
- g. Once days are contributed to the bank, they shall no longer be credited to the employee's personal sick leave accumulation.
- h. Upon retirement, if the employee has been with the school district for at least twenty (20) years of service, he/she will receive a maximum of \$10.00 per day reimbursement to a maximum of accumulated sick leave days, according to employment status listed above. An employee who has been part of the bank will place ten percent (10%) of his/her accrued sick leave in the sick leave bank upon his/her retirement with written consent from the employee. FMLA to follow policy procedures.

## **Vacation**

Eligible classified employees will receive paid vacation each school year. Employees should consult with their immediate supervisor for vacation information. These regulations apply to full-time, twelve-month classified staff of the district.

Requests for annual leave must be approved by an employee's immediate supervisor and/or the business manager prior to the time of departure. Annual leave must be reported on Red Rover.

Annual leave is accrued on a monthly basis. Leave requests may not exceed the amount of time accrued. Deduction of any hours over maximum of 320 or 280 hours will only occur at calendar year end.

Annual leave is accrued according to the following schedule:

FOR EMPLOYEES HIRED ON OR BEFORE JUNE 30, 1994:

- First through Twentieth Years of Employment
- 15 days per year (10 hours per month), cumulative to a maximum of 280 hours.
- Twenty-first Year of Employment and Beyond
- 20 days per year (13 hours per month, except 15 hours in March and September), cumulative to a maximum of 320 hours.

FOR EMPLOYEES HIRED AFTER JUNE 30, 1994:

- First through Tenth Years of Employment
- 10 days per year (6 hours per month, except 10 hours in March and September), cumulative to a maximum of 240 hours.
- Eleventh through Twentieth Years of Employment
- 15 days per year (10 hours per month), cumulative to a maximum of 280 hours.
- Twenty-First Year of Employment and Beyond
- 20 days per year (13 hours per month, except 15 hours in March and September) cumulative to a maximum of 320 hours.

Employees voluntarily leaving the district may terminate their employment at the end of their accrued annual leave period or may receive a lump sum payment for unused accrued annual leave. An employee who has been released from contract due to disciplinary reasons must take accrued annual leave in a lump sum payment.



## **Title IX**

It is the policy of the school district that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any of the school district's programs or activities. The district is required by Title IX (20 U.S.C. § 1681) and 34 C.F.R. part 106 to not discriminate in such a manner.

### **1. Title IX Coordinator**

**1.1. Designation.** The district will designate and authorize at least one employee to coordinate its efforts to comply with its responsibilities under this policy, who will be referred to as the "**Title IX Coordinator.**" The district will notify applicants for admission and employment, students, parents or legal guardians of students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the district, of the name or title, office address, electronic mail address, and telephone number of the Title IX Coordinator. Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment). This report may be made by any means, including but not limited to, in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours).

### **2. Definitions.** As used in this policy, the following terms are defined as follows:

**2.1. Actual knowledge** means notice of sexual harassment or allegations of sexual harassment to any district employee. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only district employee with actual knowledge is the respondent (as that term is defined below). "Notice" as used in this paragraph includes, but is not limited to, a report of sexual harassment to the Title IX Coordinator as described in subsection 1.1 above.

**2.2. Complainant** means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

**2.3. Formal complaint** means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the district investigate the allegation of sexual harassment. The only district official who is authorized to initiate the Grievance Process for Formal Complaints of Sexual Harassment against a respondent is the Title IX Coordinator (by signing a formal complaint). At

the time of filing a formal complaint with the district, a complainant must be participating in or attempting to participate in the district's education program or activity. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information required to be listed for the Title IX Coordinator under subsection 1.1 above, and by any additional method designated by the district. As used in this paragraph, the phrase "document filed by a complainant" means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the district) that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or otherwise a party under this policy or under 34 C.F.R. part 106 and will comply with the requirements of this policy and 34 C.F.R. part 106, including subsections 5.1.3–5.1.4 and 34 C.F.R. § 106.45(b)(1)(iii).

**2.4. Respondent** means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

**2.5. Consent** for purposes of this policy means the willingness in fact for conduct to occur. An individual may, as a result of age, incapacity, disability, lack of information, or other circumstances be incapable of providing consent to some or all sexual conduct or activity. Neither verbal nor physical resistance is required to establish that an individual did not consent. District officials will consider the totality of the circumstances in determining whether there was consent for any specific conduct. Consent may be revoked or withdrawn at any time.

**2.6. Sexual harassment** means conduct on the basis of sex that satisfies one or more of the following:

**2.6.1.** An employee of the district conditioning the provision of an aid, benefit, or service of the district on an individual's participation in unwelcome sexual conduct.

**2.6.2.** Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity.

**2.6.3. Sexual assault**, as defined in 20 U.S.C. § 1092(f)(6)(A)(v), which means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation:

**2.6.3.1. Sex Offenses, Forcible**—Any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent.

**2.6.3.1.1. Rape**— (Except Statutory Rape) The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving

consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

**2.6.3.1.2. Sodomy**—Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

**2.6.3.1.3. Sexual Assault with An Object**—To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

**2.6.3.1.4 Fondling**—The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

**2.6.3.2. Sex Offenses, Non-forcible**— (Except Prostitution Offenses) Unlawful, non-forcible sexual intercourse.

**2.6.3.2.1. Incest**—Non-Forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**2.6.3.2.2. Statutory Rape**—Non-Forcible sexual intercourse with a person who is under the statutory age of consent.

**2.6.3.3. Dating violence**, as defined in 34 U.S.C. § 12291(a), which means violence committed by a person—

**2.6.3.4.** who is or has been in a social relationship of a romantic or intimate nature with the victim; and

**2.6.3.5.** where the existence of such a relationship shall be determined based on a consideration of the following factors:

**2.6.3.5.1.** The length of the relationship.

**2.6.3.5.2.** The type of relationship.

**2.6.3.5.3.** The frequency of interaction between the people involved in the relationship.

**2.6.4. Domestic violence**, as defined in 34 U.S.C. § 12291(a), which includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction receiving grant funding and, in the case of victim services, includes the use or attempted use of physical abuse or sexual abuse, or a pattern of any other coercive behavior committed, enabled, or solicited to gain or

maintain power and control over a victim, including verbal, psychological, economic, or technological abuse that may or may not constitute criminal behavior, by a person who —

- a. is a current or former spouse or intimate partner of the victim, or person similarly situated to a spouse of the victim;
- b. is cohabitating or has cohabitated, with the victim as a spouse or intimate partner;
- c. shares a child in common with the victim; or
- d. commits acts against a youth or adult victim who is protected from those acts under the family or domestic or family violence laws of the jurisdiction.

**2.6.5. Stalking**, as defined in 34 U.S.C. § 12291(a)(30), which means engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

**2.6.5.1.** fear for his or her safety or the safety of others; or

**2.6.5.2.** suffer substantial emotional distress.

**2.7. Supportive measures** mean non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the district's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the district's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The district will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the district to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

### **3. Discrimination Not Involving Sexual Harassment.**

**3.1. General Prohibition.** Except as provided elsewhere in Title IX, 34 C.F.R. part 106, or this policy, no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any academic, extracurricular, research, occupational training, or other education program or activity operated by the district.

**3.2. Specific Prohibitions.** Except as provided elsewhere in Title IX, 34 C.F.R. part 106, or this policy, in providing any aid, benefit, or service to a student, the district will not on the basis of sex:

**3.2.1.** Treat one person differently from another in determining whether such person satisfies any requirement or condition for the provision of such aid, benefit, or service,

**3.2.2.** Provide different aid, benefits, or services or provide aid, benefits, or services in a different manner;

**3.2.3.** Deny any person any such aid, benefit, or service;

**3.2.4.** Subject any person to separate or different rules of behavior, sanctions, or other treatment;

**3.2.5.** Apply any rule concerning the domicile or residence of a student or applicant;

**3.2.6.** Aid or perpetuate discrimination against any person by providing significant assistance to any agency, organization, or person which discriminates on the basis of sex in providing any aid, benefit, or service to students or employees;

**3.2.7.** Otherwise limit any person in the enjoyment of any right, privilege, advantage, or opportunity.

**3.3. Complaint Procedure.** All complaints regarding any alleged discrimination on the basis of sex, including without limitation violations of this policy, 34 C.F.R. part 106, Title IX, Title VII, or other state or federal law—when the alleged discrimination does not arise from or relate to an allegation of sexual harassment as defined in subsection 2.6 above—shall be addressed pursuant to the district’s general complaint procedure, Board Policy 2006.

## **4. Response to Sexual Harassment**

**4.1. Reporting Sexual Harassment.** Any person who witnesses an act of unlawful sexual harassment is encouraged to report it to the District’s Title IX Coordinator. No person will be retaliated against based on any report of suspected sexual harassment or retaliation. Any District employee who receives a report of sexual harassment or has actual knowledge of sexual harassment must convey that information to the Title IX Coordinator as soon as reasonably practicable, but in no case later than the end of the following school day.

**4.2. General Response to Sexual Harassment.** When the district has actual knowledge of sexual harassment in its education program or activity against a person in the United States, the district will respond promptly in a manner that is not deliberately indifferent. The district will be deemed to be deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances. For the purposes of this policy “education program or activity” includes locations, events, or circumstances over which the district exercised substantial control over

both the respondent and the context in which the sexual harassment occurs. The district's response will treat complainants and respondents equitably by offering supportive measures as defined in subsection 2.7 above to a complainant, and by following the grievance process described in section 5 below before the imposition of any disciplinary sanctions or other actions that are not supportive measures, against a respondent. The Title IX Coordinator will promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.

**4.3. Emergency Removal.** Nothing in this policy precludes the district from removing a respondent from the district's education program or activity on an emergency basis, provided that the district undertakes an individualized safety and risk analysis and determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal. In the event that the district removes a respondent on an emergency basis, then the district will provide the respondent with notice and an opportunity to challenge the decision immediately following the removal. This provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

**4.4. Administrative Leave.** Nothing in this policy precludes the district from placing a non-student employee respondent on administrative leave during the pendency of a grievance process that complies with section 5 below. This provision may not be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act.

**4.5. General Response Not Conditioned on Formal Complaint.** With or without a formal complaint, the district will comply with the obligations and procedures described in this section 4.

## **5. Grievance Process for Formal Complaints of Sexual Harassment.**

### **5.1. General Requirements.**

**5.1.1. Equitable Treatment.** The district will treat complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent, and by following the grievance process described in this section 5 before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent. Remedies will be designed to restore or preserve equal access to the district's education program or activity. Remedies may include the same individualized services described in subsection 2.7 as

“supportive measures”; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the respondent.

**5.1.2. Objective Evaluation.** This grievance process requires an objective evaluation of all relevant evidence—including both inculpatory and exculpatory evidence. Credibility determinations may not be based on a person’s status as a complainant, respondent, or witness.

**5.1.3. Absence of Conflicts of Interest or Bias.** The district will require that any individual designated by a recipient as a Title IX Coordinator, investigator, decision-maker, or any person designated by a recipient to facilitate an informal resolution process, not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

**5.1.4. Training.** The district will ensure that all individuals or entities described in this Training section 5.1.4 receive training as provided below. Any materials used to train these individuals will not rely on sex stereotypes and will promote impartial investigations and adjudications of formal complaints of sexual harassment.

**5.1.4.1. All District Employees and Board Members.** All district employees and board members will be trained on how to identify and report sexual harassment.

**5.1.4.2. Title IX Coordinators, Investigators, Decision-Makers, or Informal Resolution Facilitators.** The district will ensure that Title IX Coordinators, investigators, decision-makers, or any person designated by the district to facilitate an informal resolution process receive training on:

**5.1.4.2.1.** The definition of sexual harassment in subsection 2.6;

**5.1.4.2.2.** The scope of the district’s education program or activity;

**5.1.4.2.3.** How to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable; and

**5.1.4.2.4.** How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

**5.1.4.3. Decision-Makers.** The district will ensure that decision-makers receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainant’s sexual predisposition or prior sexual behavior are not relevant, as set forth in subsection 5.6.

**5.1.4.4. Investigators.** The district will also ensure that investigators receive training on issues of relevance to create

an investigative report that fairly summarizes relevant evidence, as set forth in subsection 5.5.8.

**5.1.5. Presumption.** It is presumed that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

**5.1.6. Reasonably Prompt Time Frames.** This grievance process shall include reasonably prompt time frames for conclusion of the grievance process, including reasonably prompt time frames for filing and resolving appeals and informal resolution processes if the district offers informal resolution processes. The process shall also allow for the temporary delay of the grievance process or the limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

**5.1.7. Range of Possible Sanctions and Remedies.** Following a determination of responsibility, the district may impose disciplinary sanctions and remedies in conformance with this and the district's student discipline policy, and other state and federal laws. Depending upon the circumstances, these policies provide for disciplinary sanctions and remedies up to and including expulsion.

**5.1.8. Range of Supportive Measures.** The range of supportive measures available to complainants and respondents includes those listed in subsection 2.7.

**5.1.9. Respect for Privileged Information.** The district will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

## **5.2. Notice of Allegations.**

**5.2.1. Initial Notice.** Upon receipt of a formal complaint, the district will provide the following written notice to the parties who are known:

**5.2.1.1.** A copy of this policy.

**5.2.1.2.** Notice of the allegations of sexual harassment potentially constituting sexual harassment as defined in subsection 2.6, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known. The written notice will include a statement that the respondent is presumed not responsible



for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process. The written notice will inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, under subsection 5.5.5, and may inspect and review evidence under subsection 5.5.5. The written notice will inform the parties of any provision in the district's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

**5.2.2. Supplemental Notice.** If, in the course of an investigation, the district decides to investigate allegations about the complainant or respondent that are not included in the Initial Notice described above, the district will provide notice of the additional allegations to the parties whose identities are known.

### **5.3. Dismissal of Formal Complaint.**

**5.3.1.** The district will investigate the allegations in a formal complaint.

**5.3.2. Mandatory Dismissals.** The district **must** dismiss a formal complaint if the conduct alleged in the formal complaint:

**5.3.2.1.** Would not constitute sexual harassment as defined in subsection 2.6 even if proved;

**5.3.2.2.** Did not occur in the district's education program or activity; or

**5.3.2.3.** Did not occur against a person in the United States.

**5.3.3. Discretionary Dismissals.** The district **may** dismiss the formal complaint or any allegations therein, if at any time during the investigation or hearing:

**5.3.3.1.** The complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;

**5.3.3.2.** The respondent is no longer enrolled in or employed by the district; or

**5.3.3.3.** Specific circumstances prevent the district from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

**5.3.4.** Upon a dismissal required or permitted pursuant to subsections 5.3.2 or 5.3.3 above, the district will promptly send written notice of the dismissal and an explanation of that action simultaneously to the parties.

**5.3.5.** Dismissal of a formal complaint under this policy does not preclude the district from taking action under another provision of the district's code of conduct or pursuant to another district policy.

**5.4. Consolidation of Formal Complaints.** The district may consolidate formal complaints as to allegations of sexual harassment against more

than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. Where a grievance process involves more than one complainant or more than one respondent, references in this policy to the singular "party," "complainant," or "respondent" include the plural, as applicable.

**5.5. Investigation of Formal Complaint.** When investigating a formal complaint and throughout the grievance process, the district will:

**5.5.1.** Designate and authorize one or more persons (which need not be district employees) as investigator(s) to conduct the district's investigation of a formal complaint;

**5.5.2.** Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the district and not on the parties provided that the district cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the district obtains that party's voluntary, written consent to do so for a grievance process under this section (if a party is not an "eligible student," as defined in 34 CFR 99.3, then the district will obtain the voluntary, written consent of a "parent," as defined in 34 CFR 99.3);

**5.5.3.** Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;

**5.5.4.** Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;

**5.5.5.** Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding; however, the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties;

**5.5.6.** Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate;

**5.5.7.** Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the district does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to completion of the investigative report, the district will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will have at least 10 calendar days to submit a written response, which the investigator will consider prior to completion of the investigative report; and

**5.5.8.** Create an investigative report that fairly summarizes relevant evidence and, at least 10 calendar days prior to the time of determination regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

## **5.6. Determination Regarding Responsibility**

**5.6.1. Decision-Maker(s).** The decision makers(s) cannot be the same person as the Title IX Coordinator or investigators.

**5.6.2. Exchange of Written Questions.** After the district has sent the investigative report to the parties pursuant to subsection 5.5.8, but before reaching a determination regarding responsibility, the decision-maker(s) will afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker(s) will explain to the party proposing the questions any decision to exclude a question as not relevant.

**5.6.3. Written Determination.** The decision-maker(s) will issue a written determination regarding responsibility. To reach this determination, the decision-maker(s) will apply the preponderance of the evidence standard. The written determination will include:

**5.6.3.1.** Identification of the allegations potentially constituting sexual harassment as defined in subsection 2.6;

**5.6.3.2.** A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;

**5.6.3.3.** Findings of fact supporting the determination;

**5.6.3.4.** Conclusions regarding the application of the district's code of conduct to the facts;

**5.6.3.5.** A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's education program or activity will be provided by the district to the complainant; and

**5.6.3.6.** The district's procedures and permissible bases for the complainant and respondent to appeal.

**5.6.4.** The district will provide the written determination to the parties simultaneously. The determination regarding responsibility becomes final either on the date that the district provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

**5.6.5.** The Title IX Coordinator is responsible for effective implementation of any remedies.

**5.7. Appeals.** The district will offer both parties the opportunity to appeal from a determination regarding responsibility, and from the district's dismissal of a formal complaint or any allegations therein, on the grounds identified below.

**5.7.1. Time for Appeal.** Appeals may only be initiated by submitting a written Notice of Appeal to the Office of the Superintendent of Schools within ten (10) calendar days] of the date of the respective written determination of responsibility or dismissal from which the appeal is taken. The Notice of Appeal must include (a) the name of the party or parties making the appeal, (b) the determination, dismissal, or portion thereof being appealed, and (c) a concise statement of the specific grounds (from subsection 5.8.2 below) upon which the appeal is based. A party's failure to timely submit a Notice of Appeal will be deemed a waiver of the party's right to appeal under this policy, 34 C.F.R. part, 106, and Title IX.

**5.7.2. Grounds for Appeal.** Appeals from a determination regarding responsibility, and from the district's dismissal of a formal complaint or any allegations therein, are limited to the following grounds:

**5.7.2.1.** Procedural irregularity that affected the outcome of the matter;

**5.7.2.2.** New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and  
**5.7.2.3.** The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

**5.7.3.** As to all appeals, the district will:

**5.7.3.1.** Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties;

**5.7.3.2.** Ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;

**5.7.3.3.** Ensure that the decision-maker(s) for the appeal complies with the standards set forth in subsections 5.1.3–5.1.4.

**5.7.3.4.** Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;

**5.7.3.5.** Issue a written decision describing the result of the appeal and the rationale for the result; and

**5.7.3.6.** Provide the written decision simultaneously to both parties.

**5.8. Informal Resolution.** The district will not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment consistent with this section. Similarly, the district will not require the parties to participate in an informal resolution process under this section and may not offer an informal resolution process unless a formal complaint is filed. However, at any time prior to reaching a determination regarding responsibility the district may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication, provided that the district:

**5.8.1.** Provides to the parties a written notice disclosing:

**5.8.1.1.** The allegations;

**5.8.1.2.** The requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations;

**5.8.1.3.** That at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution

process and resume the grievance process with respect to the formal complaint; and

**5.8.1.4.** Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;

**5.8.2.** Obtains the parties' voluntary, written consent to the informal resolution process; and

**5.8.3.** Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

## **5.9. Recordkeeping.**

**5.9.1.** The district will maintain for a period of seven years records of:

**5.9.1.1.** Each sexual harassment investigation including any determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the district's education program or activity;

**5.9.1.2.** Any appeal and the result therefrom;

**5.9.1.3.** Any informal resolution and the result therefrom; and

**5.9.1.4.** All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The district will make these training materials publicly available on its website, or if the district does not maintain a website, then the district will make these materials available upon request for inspection by members of the public.

**5.9.2.** For each response required under section 4, the district will create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the district will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the district's education program or activity. If the district does not provide a complainant with supportive measures, then the district will document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the district in the future from providing additional explanations or detailing additional measures taken.

**6. Superintendent Authorized to Contract.** The board authorizes the Superintendent to contract for, designate, and appoint individuals to serve in the roles of the district's investigator(s), decision-maker(s), informal resolution facilitator(s), or appellate decision-maker(s) as contemplated by this policy.

## **7. Access to Classes and Schools.**

**7.1. General Standard.** Except as provided in this section or otherwise in 34 C.F.R. part 106, the district will not provide or otherwise carry out any of its education programs or activities separately on the basis of sex or require or refuse participation therein by any of its students on the basis of sex.

**7.1.1. Contact sports in physical education classes.** This section does not prohibit separation of students by sex within physical education classes or activities during participation in wrestling, boxing, rugby, ice hockey, football, basketball, and other sports the purpose or major activity of which involves bodily contact.

**7.1.2. Ability grouping in physical education classes.** This section does not prohibit grouping of students in physical education classes and activities by ability as assessed by objective standards of individual performance developed and applied without regard to sex.

**7.1.3. Human sexuality classes.** Classes or portions of classes that deal primarily with human sexuality may be conducted in separate sessions for boys and girls.

**7.1.4. Choruses.** The district may make requirements based on vocal range or quality that may result in a chorus or choruses of one or predominantly one sex.

**7.2. Classes and Extracurricular Activities.** The district may provide nonvocational single-sex classes or extracurricular activities as permitted by 34 C.F.R. part 106.

**8. Athletics.** It is the policy of the district that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, be treated differently from another person or otherwise be discriminated against in any interscholastic, club, or intramural athletics offered by the district, and that the district will not provide any such athletics separately on such basis.

**8.1. Separate Teams.** Notwithstanding the foregoing paragraph, the district may operate or sponsor separate teams for members of each sex where selection for such teams is based upon competitive skill or the activity involved is a contact sport.

**8.2. Equal opportunity.** The district will provide equal athletic opportunities for members of both sexes. Unequal aggregate expenditures for members of each sex or unequal expenditures for male and female teams will not constitute noncompliance with this section.

**9. Certain Different Treatment on the Basis of Sex Permitted.** Nothing herein shall be construed to prohibit the district from treating persons differently on the basis of sex as permitted by Title IX or 34 C.F.R. part 106. For example, and without limiting the foregoing, the district may provide separate toilet, locker room, and shower facilities on the basis of sex, but such facilities provided for

students of one sex shall be comparable to such facilities provided for students of the other sex.

**10. Retaliation Prohibited.** Neither the district nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, 34 C.F.R. part 106, or this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. The district will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the FERPA statute, 20 U.S.C. § 1232g, or FERPA regulations, 34 C.F.R. part 99, or as required by law, or to carry out the purposes of 34 C.F.R. part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder. Complaints alleging retaliation may be filed according to shall be addressed pursuant to Board Policy 2006 (Complaint Procedure).

**10.1. Specific Circumstances.**

**10.1.1.** The exercise of rights protected under the First Amendment does not constitute retaliation prohibited by this section.

**10.1.2.** Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this part does not constitute retaliation prohibited under this section, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

**11. Notification of Policy.** The district will notify applicants for admission and employment, students, parents or legal guardians of students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the district of the existence of this policy. The requirement to not discriminate, as stated in Title IX and 34 C.F.R. part 106, in the district's education program(s) or activities extends to admission and employment, and inquiries about the application of Title IX and 34 C.F.R. part 106 to the district may be referred to the district's Title IX Coordinator, the Assistant Secretary for Civil Rights of the United States Department of Education, or both.

**12. Publication of Policy.** The district will prominently display on its website, if any, and in each handbook that it makes available to applicants for admission and employment, students, parents or legal guardians of students, employees, and all unions or professional organizations holding collective bargaining or



professional agreements with the district, the name or title, office address, electronic mail address, and telephone number of the employee or employees designated as the Title IX Coordinator(s).

**13. Application Outside the United States.** The requirements of this policy apply only to sex discrimination occurring against a person in the United States.

**14. Scope of Policy.** Nothing herein shall be construed to be more demanding or more constraining upon the district than the requirements of Title IX (20 U.S.C. § 1681) and 34 C.F.R. part 106. To the extent that the district is in compliance with Title IX and 34 C.F.R. part 106, then all of the district's obligations under this policy shall be deemed to be fulfilled and discharged.

## STAFF DIRECTORY

### Members of the Board of Education:

Rachel Olson.....President  
Carol Voss-Ward.....Vice-President  
Shane Nordyke.....Member  
Jacob Skelton.....Member  
Mark Winegar.....Member

### Administrative Staff:

Dr. Damon Alvey.....Superintendent  
Kevin Kocer.....Business Manager  
Jon Frey.....High School Principal  
Jason Huska.....Assistant High School Principal/AD  
Tom O'Boyle.....Middle School Principal  
Sam Jacobs.....Elementary Principal  
Paige Parsons.....Elementary Principal  
Kim Johnson.....Director of Curriculum & Instruction  
Jennifer Olafson.....Director of Special Services  
Ashlie Jacobs.....Director of Technology

### Administrative Office Staff

Ofelia May.....Accounts Payable  
Nicole Mockler.....Payroll Clerk  
Jayme Mulheron.....Superintendent Assistant

### Child Nutrition Program

Rachelle Loutsche.....Cafeteria Manager

### Custodians

Jon Walser.....Facilities & Maintenance Manager  
Terry Johnson.....High School Head Custodian  
Jodi Rezac.....Middle School Head Custodian  
Todd Moore.....Jolley School Head Custodian  
Cindy Carrington.....Austin School Head Custodian

### Transportation Department

Chet Moser.....Director of Transportation

## SCHOOL CALENDAR

<https://vermillion.k12.sd.us/wp-content/uploads/2023/07/Calendar23-24.pdf>

## **Staff Internet and Computer Use Policy**

Internet access is an important tool for communicating, keeping up to date with current developments in education, and for conducting research to enhance management, teaching, and learning skills. The following procedures and guidelines are intended to ensure appropriate use of the Internet at the school by the district's faculty and staff. Staff should also refer to the district's policy on Staff and District Social Media Use.

### **I. Staff Expectations in Use of the Internet**

#### **A. Acceptable Use While on Duty or on School Property**

1. Staff shall be restricted from using the Internet to conduct research for instructional purposes.
2. Staff may use the Internet for school-related e-mail communication with fellow educators, students, parents, and patrons.
3. Staff may use the Internet in any other way which serves a legitimate educational purpose and that is consistent with district policy and good professional judgment.
4. Teachers should integrate the use of electronic resources into the classroom. As the quality and integrity of content on the Internet is not guaranteed, teachers must examine the source of the information and provide guidance to students on evaluating the quality of information they may encounter on the Internet.

#### **B. Unacceptable Use While on Duty or on School Property**

1. Staff shall not access obscene or pornographic material.
2. Staff shall not engage in any illegal activities on school computers, including the downloading and reproduction of copyrighted materials.
3. Staff shall not use school computers or district internet access to use peer-to-peer sharing systems such as BitTorrent or participate in any activity which interferes with the staff member's ability to perform their assigned duties.
4. The only political advocacy allowed by staff on school computers or district internet access is that which is permitted by the Political Accountability and Disclosure Act and complies with district policy.
5. Staff shall not share their passwords with anyone, including students, volunteers, or fellow employees.

### **II. School Affiliated Websites**

Staff must obtain the permission of the administration prior to creating or publishing any school-affiliated web page which represents itself to be school-related, or which could be reasonably understood to be school-related. This includes any website which identifies the school district by name or which uses the school's mascot name or image.

Staff must provide administrators with the username and password for all school-affiliated web pages and must only publish content appropriate for the school setting. Staff must also comply with all board policies in their school-affiliated websites and must comply with the board's policy on professional boundaries between staff and students at all times and in all contexts.

Publication of student work or personality-identifiable student information on the Internet may violate the Federal Education Records Privacy Act. Staff must obtain the consent of their building principal or the superintendent prior to posting any student-related information on the Internet.

### **III. Enforcement**

#### **A. Methods of Enforcement**

The district owns the computer system and monitors e-mail and Internet communications, Internet usage, and patterns of Internet usage. Staff members have no right of privacy in any electronic communications or files, which are stored or accessed on or using school property and these are subject to search and inspection at any time.

1. The district uses a technology protection measure that blocks access to some sites that are not in accordance with the district's policy. Standard use of the Internet utilizes a proxy server-based filter that screens for non-curriculum related pages.
2. Due to the nature of technology, the filter may sometimes block pages that are appropriate for staff research. The system administrator may override the technology protection measures that blocks or filters Internet access for staff access to a site with legitimate educational value that is wrongly blocked.
3. The district will monitor staff use of the Internet by monitoring Internet use history to ensure enforcement of this policy.

#### **B. Any violation of school policy and rules may result in that staff member facing:**

1. Discharge from employment or such other discipline as the administration and/or the board deem appropriate;
2. The filing of a complaint with the Secretary of Education alleging unprofessional conduct by a certified staff member;
3. When appropriate, the involvement of law enforcement agencies in investigating and prosecuting wrongdoing.

### **IV. Off-Duty Personal Use**

School employees may use the internet, school computers, and other school technology while not on duty for personal use as long as such use is (1) consistent with other district policies, (2) consistent with the provisions of Chapter 24 of the Rules of the South Dakota Department of Education, and

(3) is reported as compensation in accordance with the Internal Revenue Code of 1986, as amended, and taxes, if any, are paid. All of the provisions of Rule 27 will apply to non-certified staff for the purposes of this policy. In addition, employees may not use the school's internet, computers, or other technology to access obscene or pornographic material, sext, or engage in any illegal activities.