
Section K: School – Community Relations

KA	School and Community Relations Goals
KB	School and Community Relations
KBAA	Public Records
KBAA-R	Public Records Regulations
KBC	News Media Relations
KBCA	News Releases
KD	Public Participation at Board Meetings (BDDH)
KDG	Consumption of Alcoholic Beverage on School Property
KG	Community Use of School Facilities
KG-E	Facility Use Agreement
KGB	Public Conduct on School Property
KH	Public Gifts and Memorials to Schools
KI	Public Solicitations and Advertising in the School
KIA	Distribution and Posting of Promotional Materials
KK	Visitors to the School
KL	Complaint Against a School Employee
KLA	Federal Programs Complaint Policy
CLB	Public Complaints About the Curriculum or Instructional Materials
KMA	Relations with Parent Organizations
KMB	Title I Parent Involvement
KMC	Annual Notification to Parents
KMI	Relations with Political Organizations (Public Funds)
KN	Relations with Governmental Authorities

SCHOOL AND COMMUNITY RELATIONS GOALS

The Harding County School Board believes that responsible management of the school district requires current laws, standards, attitudes, and philosophies of education be presented to the community on a continuing basis. The Board also recognizes that, as elected representatives of the people, it must consider the needs and desires of the community in establishing educational policy. In order to meet both of these aims, it is essential that effective two-way communication be maintained with the community.

The basis for an effective community relations program is to be found in the following statements of Board attitudes:

1. The community will be encouraged to participate and actively assist in the future planning of the school district.
2. All avenues of communication available will be used.
3. Special attention will be given to effective internal communication among the School Board, administration, the staff, and students, to assure the full understanding of existing programs and to elicit reports and recommendations on those in effect, as well as those which should be considered.

The Board is devoted to the development and maintenance of a comprehensive year-round community relations program to assure a full appreciation of the educational program and the problems of the district, and to provide for the broadest participation of all—Board, staff and community—in seeking the solution to problems and in promoting the continuing improvement of the education available to the residents of the community.

Adopted: June 13, 2016

SCHOOL AND COMMUNITY RELATIONS

The purpose of school-community relations is to establish and maintain a program that informs the public of and involves them in the goals and services of the district's public schools.

The Harding County School Board shall provide parents or guardians and other district residents opportunities for information and orientation regarding local school procedures, and will utilize, insofar as practical, all appropriate means and media to achieve the following objectives:

1. To explain the programs, achievements and needs of the schools to:

- a) parents;
- b) county officials and other community leaders;
- c) local business and industry;
- d) community organizations;
- e) special interest groups;
- f) the community as a whole;
- g) State and Federal agencies.

2. To determine:

- a) what residents expect from their schools;
- b) what residents think about the accomplishments of their schools;
- c) what residents would like to know about their schools that they don't now know;
- d) which particular areas of the school program, policies, or operations need further clarification or explanation.

3. To keep staff members fully informed of:

- a) district policies and procedures;

- b) system-wide activities;
- c) their own responsibilities;
- d) their rights within district policy and under school law;
- e) practices and procedures to follow at parent meetings or conferences to establish cordial relationships and trust on the part of their pupils and parents.

4. To operate, insofar as required, in public session, as speedily and efficiently as circumstances permit, and with public participation.

5. To recognize pupils:

- a) as a "public" entitled to both be heard and to be provided with reasons for policies and practices which relate to them;
- b) as "ambassadors" from the school system to the community, whose attitudes will affect community opinion of the schools.

6. To inform teaching staff personnel that community opinion depends upon the daily life of the school, and that they should seek the following objectives as opportunity permits in their respective fields of services:

- a) acquaint citizens with the work of the schools;
- b) give courteous and thoughtful consideration to all inquiries and suggestions and carefully investigate all complaints;
- c) make parents feel welcome in the school office and in the classroom;
- d) cooperate with the parent and other community groups;
- e) maintain pupil relations so as to enlist the cooperation of the home;
- f) observe inter-staff relations conducive to high morale that merits the respect of pupils and citizens.

Adopted: June 13, 2016

PUBLIC RECORDS

The Harding County School Board is a public servant, and its meetings and records will be a matter of public information except as such meetings and records pertain to individual personnel and other classified matters.

The School Board supports the right of the people to know about the programs and services of their schools and will make every effort to disseminate information. All requests for information will be acted on fairly, completely, and expeditiously.

The official minutes of the Board, its written policies and regulations, and its financial records will be open for inspection at the office of the Superintendent by any citizen desiring to examine them during hours when the office is open. No records pertaining to individual students or staff members will be released by the Superintendent or other persons responsible for the custody of confidential files for inspection by the public or unauthorized persons. The exception to this will be information about an individual employee (or student) that has been authorized in writing for release by the employee (or student, or student's parent).

Each building administrator is authorized to use all means available to keep parents and others in the particular school's community informed about the school's program and activities.

The Harding County School Board hereby designates the Superintendent as the district public records officer. The public records officer shall be responsible for allowing inspection of records upon public request and for maintaining confidentiality of those records not open to the public. The public records officer shall also establish fees that may be charged for the retrieval and copying of public records.

Adopted: September 14, 2009

Revised: June 13, 2016

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State Reference	Description
SDCL 13-8-43	<u>Records of business manager open to public inspection</u>
Policy Reference	Description
BDDG	<u>MINUTES</u>
GBL	<u>PERSONNEL RECORDS</u>
JO	<u>STUDENT RECORDS</u>
KBAA	<u>PUBLIC RECORDS</u>

PUBLIC RECORDS-REGULATION

The Business Manager will act as the public records officer for handling routine record requests. Public records are available for viewing during the school's normal business hours which are 8:00-3:00 Monday through Friday. The cost of copying public records will be \$0.25 per page. A log will be maintained of all requests, and the disposition.

No fee may be charged for the electronic transfer of any minutes of open meeting actions that were recorded in the last three years.

The request may be made by phone, e-mail or letter. The request must come at least 48 hours in advance to allow time for records search. If a request is refused, it may be submitted in writing, and if refusal is maintained, a written confirmation will be submitted.

Certain records are exempt from public access including: student information and personnel information other than routine directory information, employee salaries and public employee contracts.

Denial may also be based on the cost of retrieval, and form requested. If staff time is required, the district may charge an hourly fee to compensate for this time.

It is the desire of the administration to fully comply with the letter and spirit of the district's policy and South Dakota Law. While there may be disagreements over the availability of records, the district will make every attempt to settle disputes amicably and factually through the processes established by state and federal law.

Legal References: SDCL 1-27

Adopted: September 14, 2009

Revised: June 13, 2016

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NEWS MEDIA RELATIONS

The Superintendent or designee will coordinate all activities relating to the publication of information concerning the schools or the appearance of news releases relating to school personnel or activities.

In addition to the use of the official newspaper as required by state law for specific announcements, the public schools will use all media available, both public and private, and the school media to keep the public informed as fully as possible on school matters.

The Harding County School Board welcomes the active participation of newspapers, magazines, radio, television, and other mass communication media in promoting the cause of good education in our district and state.

Suggestions and advice from representatives of such media as to how best to facilitate the flow of information to them by the School Board and personnel of the school district will be welcomed.

Newscasts, spot announcements, sports and media coverage of other school activities and programs must be presented in the public interest. Identification of the schools with the promotion of any commercial or political enterprise will not be permitted.

Adopted: June 13, 2016

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NEWS RELEASES

The Superintendent or his designee will be the press liaison for coordinating the release of information concerning the school district and the actions of the Harding County School Board. The School Board president will be the official spokesman for the Board, except as this duty is delegated to the Superintendent or his designee.

The Superintendent or designee will work in cooperation with the administrative staff, and the school principals. The Superintendent will assure that each school in the district has equitable news media coverage.

While it is impossible to know how news releases will be treated by the press, every possible effort should be made to obtain coverage of school activities and personnel, which will create and maintain a dignified and professionally responsible image for the school system.

Adopted: June 13, 2016

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PUBLIC PARTICIPATION AT BOARD MEETINGS

The Harding County School Board welcomes the public to attend its sessions so they may become better acquainted with the operation and programs of the schools.

In order to assure that citizens who wish to appear before the Board may be heard, and, at the same time, conduct its meetings properly and efficiently, the following procedures have been adopted:

1. Any individual who desires to speak about an item on the agenda, is asked to present the "request to speak" to the Superintendent, the business manager or the Board President. The request may be communicated orally prior to the meeting or in written form.
2. Persons, who wish to speak about an item that is not on the agenda, are asked to present such request to the Superintendent or the Board President, prior to the beginning of the meeting. Persons who present such a request will be allowed to speak about the topic before the meeting is adjourned.
3. Citizens, who desire Board action on an item not on the agenda, will submit the item to the Superintendent's office, at least 10 days prior to the meeting of the Board, at which they wish for the item to be considered.
4. Presentations should be as brief as possible. Unless an extension of time is granted, a speaker will be limited to five minutes.

The Board vests in its President or other presiding officer, authority to terminate the remarks of any individual when they do not adhere to the rules established above.

Adopted: February 25, 1985

Reviewed: June 13, 2016

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Policy References: Legal references indicate the basis or authority for the board to enact this policy, and policy cross-references identify additional policies related to the subject matter of the above policy.

State Reference	Description
SDCL 1-25-1	<u>Official meetings open to the public</u>

FILE: KDG

CONSUMPTION OF ALCOHOLIC BEVERAGES ON SCHOOL PROPERTY

The Harding County School Board will not allow storage, sales or consumption of alcoholic beverages on school property under any circumstances.

Adopted: *June 13, 2016*

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State Reference	Description
SDCL 35-1-5.3	<u>Consumption of distilled spirits in public place</u>

COMMUNITY USE OF SCHOOL FACILITIES

Harding County School District facilities and equipment are purchased, maintained, and operated by funds largely provided by local taxes. The board believes the facilities and equipment ultimately belong to the residents of the district and accepts the responsibility for making them available to responsible organizations and individuals of the community for appropriate activities. These activities may not infringe upon nor interfere with the conduct and best interests of the school district or its programs.

PROHIBITED ACTIVITIES

The following activities will be prohibited on school grounds or in school facilities:

1. Partisan political meetings;
2. Promulgating any theory or doctrine subversive to the laws of the United States or any political subdivision thereof advocating governmental change by violence;
3. Any activity that may violate the canons of good morals, manners or taste, or be injurious to the buildings, grounds or equipment;
4. Any purpose in conflict with school activities;
5. Commercial advertising;
6. Fund-raising campaigns except as permitted by Board policy or special action of the Board;
7. Activities which are discriminatory in the legal sense.

Permission may be granted to allow local colleges and universities, which may charge tuition, or school personnel to use district facilities for staff improvement or in-service training. Private teaching, either by individuals employed by the school district or by outside agencies or persons, for which tuition is charged will require board approval before facilities may be used.

The superintendent will develop regulations to be reviewed by the board for the use of school district facilities and equipment.

GRANTING OF APPROVAL

The superintendent or the designee is authorized to approve and arrange for scheduling the use of school facilities by qualified applicants who satisfy the above purposes and limitations. Right is reserved by the School Board to revoke any such permit, without liability, should

such action be deemed necessary or desirable.

Applicants will be required to submit a facility use agreement declaring that to the best of their knowledge their projected use is legal. Applicants requesting permission to use a school building will be held responsible for the preservation of order and for any damage to school facilities. The person signing the application will agree to replace or pay for all damages or lost equipment or material when directed to do so by the school administration. If replacement is required for damaged property, replacement costs will be the measure, and depreciation will not be a factor. In addition, users of the facility will be required to hold the district harmless for all damages and personal injury that may occur during their utilization.

Adopted: June 13, 2016

Revised:

Reviewed:

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State Reference
SDCL 13-24-20

Description
Use of school facilities or buses for other purposes

HARDING COUNTY SCHOOLS FACILITY USE & EQUIPMENT AGREEMENT

The School Board of the Harding County School District has determined that allowing _____ to use the facilities listed below would constitute a community service, as that term is used in SDCL 13-24-20.

Please list specific facility and equipment to be used:

The use of the facility listed above is for use between the hours of _____ and _____.

The fee for the use of the facility shall be _____.

Rules for use of the facility and equipment have been prepared by the administration and are attached hereto as Exhibit 1 and incorporated herein by this reference.

NEITHER THE SCHOOL DISTRICT, THE SCHOOL BOARD, NOR ANY OFFICER OR EMPLOYEE OF THE SCHOOL DISTRICT IS LIABLE FOR ANY INJURY THAT OCCURS AS A RESULT OF THE USE OF THIS FACILITY, REGARDLESS OF THE CAUSE OF INJURY, INCLUDING THE DESIGN, MAINTENANCE OF AND CONDITION OF THE FACILITY AND EQUIPMENT USED UNDER THIS AGREEMENT.

THE _____ AND ITS MEMBERS, OFFICERS, AND EMPLOYEES ARE LIABLE FOR DAMAGE TO PROPERTY AND PERSON THAT MAY ARISE AS A RESULT OF THE USE OF THE FACILITY, AS PROVIDED IN SDCL 13-24-20, AND ARE LIABLE FOR REPLACEMENT COSTS TO RESTORE THE FACILITY OR EQUIPMENT UTILIZED PURSUANT TO THIS AGREEMENT.

SDCL 13-24-20 provides: The school board may rent or grant the use of school facilities, motor vehicles, or land belonging to the school district for any purposes, which it considered advisable as a community service for such compensation as it determines. The use may not interfere with school activities. Any person or persons or public body using such school facilities, motor vehicles, or land is responsible to the school district for any and all damages that may be caused by reason of the use or occupancy. The school district is not liable for any suit for damage, which might arise as the result of such use or occupancy. Pursuant to this agreement, "any and all damages" stated in the statute above shall mean replacement costs.

This agreement is not valid and the facility may not be used unless this agreement is signed by the person or organization submitting the request prior to the facility use. In addition to the liability undertaken herein by the person or organization using the facility, such person or organization is responsible to leave the facility in the manner in which it was found, without exception, including without limitation that any areas used be left clean and neat and all equipment be returned in the same condition it was when the use was granted.

Board Chairman, Superintendent, or Business Manager

Date

I have read the foregoing agreement and agree with its terms. I understand that I, individually, and the organization I represent are liable for any damages, as above defined as replacement costs, cause to the facility, and any damages or injuries that may occur to any person as a result of the use of the facility.

Name of Organization

Signature of Individual or Representative

Date

Adopted: 11/11/2013

Legal References: SDCL 13-34-20

Cross References: KG, Community Use of School Facilities

PUBLIC CONDUCT ON SCHOOL PROPERTY

The Harding County School Board welcomes the use of its facilities for public events, and public visitations to the schools. However, the Board expects all visitors to abide by acceptable rules of conduct. To maintain public order on school property, the Board prohibits the following conduct or acts on school property by students, teachers, staff members, licensees or invitees:

1. The willful physical injury of any person or the threat to use force which would result in such injury;
2. The harassment or coercion of any person;
3. The willful damage to, or destruction of, property;
4. The willful disruption of the orderly conduct of classes or of any other school program or activity;
5. The entry of any school building or upon any portion of the school premises unless such entry is made in connection with official business with the district or to attend an activity or function authorized thereby;
6. The willful interference with the lawful and authorized activities of others;
7. The possession, consumption, or exchange of alcoholic beverages, unauthorized drugs, or narcotics on school property;
8. The possession or use of a knife, razor, ice pick, explosives, loaded cane, sword cane, machete, pistol, rifle, shot gun, pellet gun, air gun, or any other object that reasonably can be considered a weapon, on property of the school district;
9. The violation of any federal or state statute, local ordinance, or School Board policy;
10. The refusal or failure of any person to comply with a lawful order or direction of an official of the school district in the performance of his or her duties;
11. The distribution or posting of any written material, pamphlets, or posters without the prior written approval of the Superintendent.

ENFORCEMENT AND PENALTIES

Any violation of the above shall be reported immediately to the building principal. The principal will investigate the case thoroughly and make a written report to the

Superintendent.

Penalties that may be imposed by the principal and/or the Superintendent include:

1. A reprimand;
2. An order by violators to leave school property immediately;
3. A call to police and a specified charge made under the penal code.

OTHER PENALTIES

The penalties mentioned above are not considered to be inclusive or to preclude in any way the prosecution and conviction of any person for the violation of any federal or state law or local ordinance and the imposition of a fine or penalty provided for therein.

Adopted: June 13, 2016

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PUBLIC GIFTS AND MEMORIALS TO SCHOOLS

Gifts, grants, bequests, or other devises to the schools or any school department may be accepted by action of the Harding County School Board and will become district property. All gifts will be accepted in the name of the school district, but may be designated for use in a particular school or department. All items must be of legitimate use in the school program.

Gifts will not be accepted if there is excessive cost of maintenance or installation. Where installation is required, the gift will be installed under the supervision of district personnel.

The School Board is under no obligation to replace the gift if it is destroyed or becomes worn out.

The School Board welcomes gifts of books and other materials to school libraries provided they meet the same standards of selection as those applied to the purchase of library materials. School libraries may dispose of gifts at their discretion.

The School Board directs the Superintendent to assure that an appropriate expression of thanks is given all donors.

Adopted: June 13, 2016

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State Reference

SDCL 13-14-5

Description

Acceptance of gifts and donations to school districts

Policy Reference

IIAC

Description

LIBRARY MATERIALS SELECTION AND ADOPTION

PUBLIC SOLICITATIONS AND ADVERTISING IN THE SCHOOL

SOLICITING

No person will sell or offer for sale within school buildings or on school property any articles or services, or solicit contributions, except those approved by the Superintendent or the Board. This policy does not prohibit any school fund-raising activity authorized by the Board and the school administration.

Salespeople are prohibited from talking to teachers at any time during the school day. Salespeople representing educational companies may be granted this opportunity by making arrangements through the principal's office, at a time that will not interfere with the classroom work of the teacher.

The school directory or lists of pupils and staff will not be made available to any outside person or agency.

ADVERTISING

No notices or advertisements by or in behalf of persons not officially connected with the schools will be distributed in any school building except by permission of the Superintendent or Board. All notices, even by school personnel, will be cleared by the building principal and, in case of doubt, by the Superintendent.

CHARITY FUND-RAISING

The administration may select a special fund or charity project which is considered important. Approval for such a project must be secured from the Superintendent.

This policy should not be construed as preventing a teacher from using instructional or informational materials even though the materials might include reference to a brand, a product, or a service.

Adopted: June 13, 2016

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DISTRIBUTION AND POSTING OF PROMOTIONAL MATERIALS

The board recognizes that students, employees, parents, and citizens may want to distribute materials within the school district that are non-curricular. Non-curricular materials to be distributed must be approved by the building principal and meet certain standards prior to their distribution.

It is the responsibility of the Superintendent, in conjunction with the building principals, to draft administrative regulations regarding this policy.

Adopted: 06/13/2016

Legal References:

*Bystrom v. Fridley High School	822 F. 2d 747 (8 th Cir. 1987)
*Hazelwood Sch. Dist. v. Kuhlmeier	484 U.S. 260 (1998)
*US CONST. 1 st Amd.	Religion and Expression

Cross References:

VISITORS TO THE SCHOOL

The Board and staff of the school district, welcome members of the community, and other interested persons to visit the district schools. School improvements often come from suggestions originating in such visits.

The Superintendent will encourage visitors to observe our schools; provide for appropriate hospitality for visitors; channel expressions of approval as well as constructive criticism to the Board; ensure that such visits will enhance the effect of the educational program.

All visitors must report to the school office and receive the principal's permission to be on the school grounds. Any person on school property who has not registered with the school office will be requested to report to the principal's office for permission to remain. Any request to be on school property for any purpose deemed by the school principal or his assistant to be disruptive of the educational process will be denied permission to remain.

If a visitor refuses to leave the school grounds, creates any disturbance, or attempts to disrupt the educational process, the principal is directed to request aid from the local law enforcement agency.

Approved: June 13, 2016

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COMPLAINT AGAINST SCHOOL EMPLOYEE

It is the belief of the Harding County School Board that complaints may arise as the result of a misunderstanding which could be resolved through the mutual efforts of the person having the complaint and the employee involved. For that reason, efforts should be made by all parties involved to resolve the complaint at the lowest procedural level. It is only in those situations when the complaint cannot be resolved that the Board should be involved.

The purpose of this policy is to outline a procedure for addressing parent/student/public complaints about an employee's conduct, performance, or an employee's administration of a curricular, co-curricular or extra-curricular program. *Complaints related to sexual harassment, bullying, and instructional and library materials are addressed through other School District policies and not through this policy.*

When a complaint against a school employee is brought directly to an individual board member or the entire Board, the board member or entire Board may listen to the person's complaint but shall take no action unless there has been compliance with this Policy. The person bringing the complaint will be directed to the procedure as set forth below. The following procedure is designed to ensure the proper balance in protecting the rights of the person(s) bringing the complaint and the rights of the person against whom the complaint is made. It is only when the person having the complaint and the employee involved cannot resolve the problem, and the complaint cannot be resolved at the administrative level, will the Board and board members become involved.

COMPLAINT PROCEDURE

STEP 1: Initial Complaint

A. The person having a complaint ("Complainant") must initiate the complaint procedure within thirty (30) calendar days from the date the Complainant knew or should have known of the conduct of the Employee giving rise to the complaint. The person having the complaint related to a school employee must initiate the complaint procedure in one of the following ways:

- ☐ meet and discuss the concern with the Employee involved; OR
- ☐ meet and discuss the concern with the Employee's Principal.

1. If the Complainant met with the Employee and the complaint was not resolved, the Complainant must meet and discuss the complaint with the Employee's Principal within ten (10) calendar days of the meeting with the Employee. The Principal shall complete a Complaint Form, Exhibit KL-E(1). The Complainant shall sign and date the Complaint Form verifying the accuracy of its content.

2. If the Complainant initiates the complaint by meeting the Principal, the Principal shall complete a Complaint Form, Exhibit KL-E(1). The Complainant shall sign and date the Complaint Form verifying the accuracy of its contents.
- B. Upon the Complaint Form being signed and dated by the Complainant, the Principal shall give a copy of the complaint to the Employee and schedule an informal meeting with only the Complainant, Employee and Principal present. At the meeting, the Principal shall attempt to facilitate discussion between the Complainant and Employee by seeking clarification of the issue(s) and seeking a resolution to the complaint. Should a resolution be obtained, the resolution shall be noted on the Complaint Form. Should a resolution not be obtained, the Complainant and/or the Employee may request a decision by the Principal on the merits of the complaint by making the request on the Complaint Form.
- C. If the Principal is asked to make a decision on the merits of the complaint, the Principal has the authority to investigate the complaint beyond the information received from the Complainant and Employee during the meeting with the Complainant, Employee and Principal. The Principal shall render a decision in writing within fourteen (14) calendar days of the request for a decision on the merits of the complaint. The time frame for rendering a decision by the Principal may be extended by the Principal for good cause and upon written notification to the Complainant and Employee, which notification shall identify the reason for the extension and the date on or before which the decision shall be rendered. The Complainant and the Employee shall receive written notification of the Principal's determination/resolution.
- D. The Principal's decision may be appealed by the Complainant or Employee to the Superintendent within (10) ten calendar days of receipt of the Principal's written decision pursuant to Step 2. If the Principal does not render a written decision within the required time frame (14 days unless extended) the Complainant or Employee may appeal to the Superintendent pursuant to Step 2.

Should the complaint be against a Principal, the Superintendent shall address the complaint through the procedure set forth in Step 1. An appeal by the Complainant pursuant to Step 1D may be filed with the School Board pursuant to Step 3.

Should the complaint be against the Superintendent (or the Principal who also is the Superintendent) the Complaint Form, Exhibit KL-E(1), shall be given to the Business Manager. The Business Manager shall give the Complaint Form to the School Board President or Chairperson. At the next School Board meeting, the School Board will designate a person who is not an Employee of the District to address the complaint through the procedure set forth in Step 1. An appeal by the Complainant pursuant to Step 1D may be filed with the School Board pursuant to Step 3.

STEP 2: Appeal to the Superintendent

The following procedure shall be used to address an appeal of the Principal's decision made in Step 1, or if the Principal failed to render a decision in the required time frame:

- A. The appeal shall be in writing using Exhibit KL-E(2). The appealing party must attach the Complaint and the Principal's written decision, if a decision was rendered.
- B. Upon receipt of an appeal, the Superintendent will provide a copy of the appeal to the other party. Within five (5) calendar days, the other party may submit a written response to the appeal. The Superintendent shall provide a copy of the response to the appealing party.
- C. In the Superintendent's sole discretion, the Superintendent may (a) meet and discuss the matter with the Complainant and Employee, (b) meet and discuss the matter with the Complainant, Employee and Principal, or (c) meet and discuss the matter with the Principal.
- D. Within fourteen (14) calendar days from the date the appeal was filed with the Superintendent, the Superintendent shall render a decision in writing. The time frame for rendering a decision by the Superintendent may be extended by the Superintendent for good cause and upon written notification to the Complainant and Employee; the notification shall identify the reason for the extension and the date on or before which the decision shall be rendered. The Complainant, Employee and Principal shall receive copies of the decision. The Superintendent may uphold, reverse or modify the Principal's decision. The Superintendent may also refer the matter back to the Principal for further investigation. The Principal may uphold, modify or reverse his or her initial decision. After a matter has been referred back to the Principal, and the Principal rendered a second decision, that decision may also be appealed to the Superintendent.
- E. The Superintendent's decision may be appealed by the Complainant to the School Board within (10) ten calendar days of receipt of the Superintendent's written decision pursuant to Step 3. If the Superintendent does not render a written decision within the required time frame (14 calendar days unless extended) the Complainant may appeal to the School Board pursuant to Step 3.
- F. If the Employee believes the Superintendent's decision constitutes a violation, misinterpretation or inequitable application of School Board policy or collective bargaining agreement applicable to the Employee, the Employee may file a grievance pursuant to the applicable grievance policy. A grievance filed pursuant to this provision shall be initiated at the Superintendent level.

STEP 3: Complainant's Appeal to the School Board

The following procedure shall be used to address an appeal of the Superintendent's decision made in Step 2, or if the Superintendent failed to render a decision in the required time frame:

- A. An appeal to the School Board shall be in writing using Exhibit KL-E(3). The Complainant must attach the complaint, the Principal's written decision if a decision was rendered, the appeal to the Superintendent, the response to the appeal if any, and the Superintendent's decision if one was rendered.
- B. The appeal must be filed with the President/Chairperson of the School Board or Business Manager within ten (10) calendar days of Complainant's receipt of the Superintendent's written decision, or within ten (10) days of the deadline for the Superintendent's written decision, whichever comes first.
- C. Upon receipt by the Board President/Chairperson of an appeal by the Complainant, a copy of the appeal shall be given to the employee involved.
- D. Upon receipt of an appeal to the School Board, the School Board shall at its next meeting schedule a date, time and location for the appeal hearing.
- E. The following procedure shall be applicable at the appeal hearing before the School Board:
 - 1. The School Board shall appoint a school board member or a person who is not an employee of the school district as the hearing officer.
 - 2. Within thirty (30) calendar days of an appeal being filed with the School Board, the School Board shall conduct a hearing in executive session.
 - 3. The Complainant, Employee and Superintendent each have the right to be represented at the hearing.
 - 4. The School Board shall make a verbatim record of the hearing by means of an electronic device or a court reporter. This record and any exhibits must be sealed and must remain with the hearing officer until the appeal process has been completed.
 - 5. The issue on appeal is whether the Superintendent's decision should be upheld, reversed or modified by the School Board; in the absence of a decision by the Superintendent, the School Board will make a decision on the merits of the Complaint.
 - 6. All parties shall be given the opportunity to make an opening statement, with the Complainant being given the first opportunity, followed by the Employee

and then the Superintendent.

7. The Complainant shall present his or her case first, and the Employee shall then present his or her case. Both parties shall have the opportunity to ask questions of the other's witnesses. The hearing officer and school board members may ask questions of any witness.
8. After the Complainant and the Employee have presented their respective cases, the Superintendent shall then present the basis of his/her decision which led to the appeal, if a decision was rendered. The Complainant and Employee shall have the opportunity to ask the Superintendent questions. The hearing officer and board members may also ask questions of the Superintendent.
9. Unless a witness is a party to the appeal, witnesses may be present only when testifying unless the Hearing Officer rules otherwise. All witnesses must take an oath or affirmation administered by the School Board President/ Chairperson, Hearing Officer or other person authorized by law to take oaths and affirmations.
10. The Hearing Officer shall admit all relevant evidence. The Hearing Officer may limit unproductive or repetitious evidence. The strict rules of evidence do not apply. *Moran v. Rapid City Area School Dist.*, 281 N.W.2d 595. 602 (S.D. 1979) ("This [school board hearing related to teacher contract nonrenewal] does not mandate nor necessitate the use of strict evidentiary rules.").
11. Both parties shall be given the opportunity to make a closing statement, with the Complainant having the first opportunity, followed by the Employee, and then the Superintendent. The Complainant shall be given the opportunity for a brief rebuttal.
12. After the evidentiary hearing, the School Board shall continue to meet in executive session for deliberations. No one other than the Hearing Officer may meet with the Board during deliberations. During deliberations, the Board may seek advice from an attorney who did not represent any of the parties in the hearing. Consultation with any other person during deliberation may occur only if a representative of the Complainant, Employee and Superintendent are present. The Board may, in its sole discretion, continue the proceedings and make a final decision on the appeal at a later date.
13. Within twenty (20) calendar days of the hearing, the School Board shall render its decision and issue its written Findings of Fact, Conclusions of Law and Decision. The time frame for rendering a decision may be extended by the Board President for good cause and upon written notification to the Complainant, Employee and Superintendent. The notification shall identify the reason for the extension and the date on or before which the decision shall be rendered.

14. The decision of the School Board must be based solely on the evidence presented at the hearing and must be formalized by a motion made in open meeting. The Board will reconvene in open session. The Board may uphold, reverse, or modify the Superintendent's decision, or render a decision on the merits of the Complaint in the absence of a Superintendent's decision. Findings of Fact, Conclusions of Law and Decision, consistent with the Board motion, shall be in writing and approved by the Board. The Complainant, Employee, Principal and Superintendent will receive copies after the Findings of Fact, Conclusions of Law and Decision are approved by the School Board.
15. If the Complainant is dissatisfied with the School Board's decision, the Complainant may appeal the decision by filing an appeal to the circuit court pursuant to SDCL Ch. 13-46.

Adopted: June 13, 2016

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Policy References: Legal references indicate the basis or authority for the board to enact this policy, and policy cross-references identify additional policies related to the subject matter of the above policy.

State Reference	Description
ARSD 24:08	<u>Professional Teachers Ethics</u>
ARSD 24:11	<u>Professional Administrators Ethics</u>
SDCL 13-10-2	<u>General power of school boards to employ personnel</u>
SDCL 13-32-6	<u>Disturbance of school as a misdemeanor</u>
SDCL 13-46	<u>Appeals in school matters</u>
SDCL 13-8-39	<u>Management of schools by board - general powers</u>

FEDERAL PROGRAMS COMPLAINT POLICY

A parent, student, employee, or district stakeholder who has a complaint regarding the use of federal NCLB funds and is unable to solve the issue may address the complaint in writing to the district Superintendent.

Disputes addressing the enrollment, transportation (including inter-district disputes), and other barriers to the education of children and youth experiencing homelessness are also addressed under this procedure. Parents, guardians, and unaccompanied youth may initiate the dispute resolution process directing at the school they choose, as well as at the district office. The parent or guardian or unaccompanied youth shall be provided with a written explanation of the school's decision including the rights of the parent, guardian, or youth appeal the decision. Students should be provided with all services for which they are eligible while disputes are resolved.

- The superintendent will investigate the circumstances of the complaint within one week. The superintendent will render a decision within two weeks after receipt of the complaint.
- The superintendent will notify the complainant of the decision in writing.
- The complainant will be allowed one week to react to the decisions before it becomes final.
- The complainant will either accept or disagree with the decision and will provide such acknowledgement in writing, addressed to the district superintendent.
- If the issue is not resolved with the superintendent, the complaint will be forwarded to the district's Board of Education for further review. The parent or guardian or unaccompanied youth shall be provided with a written explanation of the district's decision including the rights of the parent, guardian, or youth to appeal the decision.
- Unresolved complaints may be forwarded by the stakeholder to the South Dakota Department of Education for review. (Consult SD Department of Education Complaint Procedure.)

Adopted: 10/13/2008

Legal References:

Cross References:

PUBLIC COMPLAINTS ABOUT THE CURRICULUM OR INSTRUCTIONAL MATERIALS

The Board reserves to itself the final responsibility for all instructional materials used and curricula taught in the district schools. The Board recognizes that without a free and vigorous exchange of ideas, learning and teaching cannot take place effectively.

The Board also recognizes that district residents have a right to express concern about the educational programs of their schools. When citizens have concerns about particular courses or instructional materials, these concerns should be stated in writing, carefully considered, and accorded the courtesy of a prompt reply by school personnel. All such replies will be based on the instructional goals of the district, upon course objectives, and upon the criteria for selection of instructional materials.

Staff members will attempt to accommodate serious religious or moral objections to particular instructional materials by providing alternate materials whenever possible. However, attempts by parents or students to control what others read and study will be subject to careful scrutiny and question by school employees and the Board.

Complaints against instructional materials will be considered a most serious matter and will be processed in a very deliberate manner. Therefore, the following procedures are to be followed, step-by-step. Complaints that reach Step 3 will be reported to the Board.

1. The material in question should first be discussed with the teacher or librarian who will report the results of this meeting to the principal.

If satisfaction is not reached, the complainant may continue with Step 2.

2. The principal will meet to discuss the material with the complainant and the teacher or librarian. The results of the meeting will be reported to the Superintendent. If satisfaction is not gained, the complainant will be requested to complete the form, "Request for Reconsideration of Instructional Materials," before proceeding to Step 3.

3. The Superintendent will appoint a review committee composed of the following members:

- The building principal.
- The building librarian.
- Two building teachers.
- Three adult citizens.

The committee members will be requested to read or view the material and respond to the complainants' answers to the questions on the form, "Request for Reconsideration of Instructional Materials." The recommendation of the committee will be sent to the complainant by the Superintendent. If the complainant is not satisfied, he may continue with Step 4.

4. The Superintendent will meet with the complainant to resolve the problem. If an impasse has developed, the matter is to be directed to the Board in Step 5.
5. The complainant will appear before the Board as the final step in the request for reconsideration of instructional materials.

Adopted: June 13, 2016

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Policy Reference	Description
IIA	<u>INSTRUCTIONAL MATERIALS</u>
IIAA	<u>TEXTBOOK SELECTION AND ADOPTION</u>
IIAC	<u>LIBRARY MATERIALS SELECTION AND ADOPTION</u>

RELATIONS WITH PARENT ORGANIZATIONS

The Harding County School Board is aware of the constructive role that parent-teacher groups can play in the school system. The effective leadership provided by these organizations is valuable to the improvement of educational programs and community support of the schools. The Harding County School Board will offer these groups its full cooperation, and urges parents, teachers, and administrators to become enthusiastic participants.

The parent-teacher organization (PTO) may be of service to the schools in each area of the district by fostering community undertakings, encouraging social activities, working for needed legislation, discovering and reporting facts which lead to community or school improvements, studying school problems, supporting school projects, and cooperating with other community agencies.

Each school may set up its own form of parent-teacher organization. Before official recognition, their organizational plan and rules of operation must be approved by the Board. The organization membership may then form its own committees, plan its own programs, study projects, and other activities in line with Board policies. Resolutions of a school's parent-teacher organization will be accepted by the Board for processing and consideration when such resolutions have been adopted by a majority of the members present at an official meeting.

Adopted: June 13, 2016

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by Reference

Description

COMMUNITY AND PARENT INVOLVEMENT IN DECISION MAKING

TITLE I PARENT INVOLVEMENT

TITLE I PARENT INVOLVEMENT

The Harding County School Board of Education endorses the parent involvement goals of Title I and encourages the regular participation by parents of Title I eligible children in all aspects of the program. The education of children is viewed as a cooperative effort among the parents, school, and community. In this policy, the word "parent" also includes guardians and other family members involved in supervising the child's education.

Pursuant to federal law, the district will develop jointly with, and distribute to parents of children participating in the Title I program a written parent involvement policy.

A meeting of the parents of participating Title I students will be held annually to explain the goals and purposes of the Title I program. Parents will be given the opportunity to participate in the design, development, operation, and evaluation of the program for the next school year and to participate in planning activities, to offer suggestions, and to ask questions regarding policies and programs. Parents will be encouraged to attend the meeting and to become involved.

In addition to the required annual meeting, at least three (3) additional parent meetings shall be held, at various times of the day and/or evenings, for parents of children participating in the Title I program. Notices will be sent to the parents and articles will appear in the local newspaper advising parents and interested persons of the meetings. These meetings shall be used to provide parents with:

1. Information about programs provided under Title I;
2. A description and explanation of the curriculum in use, the forms of academic assessment used to measure student progress, and the proficiency levels students are expected to meet;
3. Opportunities to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children; and
4. The opportunity to bring parent comments, if they are dissatisfied with the school's Title I program to the district level.

Title I funding, if sufficient, may be used to facilitate parent attendance at meetings through payment of transportation and childcare costs.

The parents of children identified to participate in Title I programs shall receive from the school principal and Title I staff an explanation of the reasons supporting each child's selection for the program, a set of objectives to be addressed, and a description of the services to be provided. Parents will be advised of their children's progress on a regular basis. Opportunities will be provided for the parents to meet with the classroom and Title I teachers to discuss their children's progress. Parents will also receive inflation and training that will assist them in

helping their children at home and at school.

Each school in the district receiving Title I funds shall jointly develop with parents of children served in the program a "School-Parent Compact" outlining the manner in which parents, school staff and students share the responsibility for improved student academic achievement in meeting state standards. The compact shall:

1. Describe the school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment enabling children in the Title I program to meet the state's academic achievement standards;
2. Indicate the ways in which each parent will be responsible for supporting their children's learning, such as monitoring attendance, homework completion, monitoring television watching, volunteering in the classroom, and participating, as appropriate, in decisions related to their child's education and positive use of extracurricular time; and
3. Address the importance of parent-teacher communication on an on-going basis, with at minimum, parent-teacher conferences, frequent reports to parents, and reasonable access to staff.

THIS POLICY REQUIRED BY THE NO CHILD LEFT BEHIND ACT of 2001 and THE EVERY STUDENT SUCCEEDS ACT OF 2015.

Adopted: June 13, 2016

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Federal Reference	Description
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Public Law 103-382	<u>Improving America's Schools Act of 1994</u>
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Public Law 107-110	<u>No Child Left Behind Act of 2001</u>
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Policy Reference	Description
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IKAB	<u>STUDENT PROGRESS REPORTS TO PARENTS</u>
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KMA	<u>RELATIONS WITH PARENTS ORGANIZATIONS</u>
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ANNUAL NOTIFICATION TO PARENTS

The Harding County School Board seeks to keep students, parents and the public informed of their rights and responsibilities. The district will comply with federal law to ensure parents, guardians and adult students receive annual notices on the following topics, as required by federal law:

- All notices as required under Every Student Succeeds Act.
- All notices as required under the Family Educational Rights and Privacy Act
- All notices as required under the Protection of Pupil Rights Amendment
- All notices as required by the Civil Rights Act
- All notices as required by Child Nutrition Programs
- All notices as required by the Asbestos Hazard Emergency Response Act
- All notices as required by the McKinney-Vento Act
- All notices as required under Non-Discrimination under Title IX, Section 504, Age Discrimination Act, Title II of the Americans with Disabilities Act
- All notices as required by the Individuals with Disabilities Education Act

METHOD OF NOTICE

The standard method of the school district is to send notices to parents, guardians or adult student and through postal mail and/or student handbooks. The School Board also recognizes the legal right of parents, guardians or adult students to receive annual notices from the district or school by electronic mail in lieu of regular mail. In order to receive notices by electronic mail, the parent, guardian or adult student must provide the school an electronic mail address to which the notifications may be sent.

Adopted: June 13, 2016

RELATIONS WITH POLITICAL ORGANIZATIONS (PUBLIC FUNDS)

The Harding County School Board believes in the importance of democracy and the rights of citizens to be involved in politics, but recognizes state and federal law that prohibits schools from seeking to influence elections.

School district funds, whether derived from local, state, or federal sources, will not be used for the purposes of influencing elections or ballot measures to be decided by the community or statewide voters.

The school will, in keeping with state and federal law, offer factual information on ballot measures that have the potential to affect district operation, including, opt-out campaigns and bond campaigns, to the public for the purpose of educating voters.

School resources, including staff time, shall not be used for political purposes.

Adopted: June 13, 2016

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Policy References: Legal references indicate the basis or authority for the board to enact this policy, and policy cross-references identify additional policies related to the subject matter of the above policy.

State Reference	Description
SDCL 12-27-20	<u>Expenditure of public funds to influence election outcome prohibited</u>

RELATIONS WITH GOVERNMENTAL AUTHORITIES

The schools serve the children, the parents, and all the residents of the school district, and it is to their interest to relate the functions of the Board to other agencies concerned with the security, safety, health, and well being of the citizenry.

Therefore, the Harding County School Board directs its administrative staff to inform the elected and appointed officials of the local and county governmental units of the desire to plan cooperatively for the improvement of services to residents.

The Board and its administrative officers welcome all who seek to serve the residents of the area and to participate with them in the planning and execution of such projects as will be mutually beneficial.

Adopted: June 13, 2016

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Policy References: Legal references indicate the basis or authority for the board to enact this policy, and policy cross-references identify additional policies related to the subject matter of the above policy.

State Reference	Description
SDCL 5-4	<u>Administration of school and public lands</u>