



Deuel School District #19-4 School Board Meeting Agenda
Monday, June 10, 2024, 6:00 p.m.

CALL TO ORDER

ADOPT THE AGENDA

PUBLIC COMMENT/VISITORS

CONFLICT OF INTEREST DISCLOSURES

CONSENT AGENDA ITEMS

- 1 – Minutes – Special Meeting May 1, 2024, and Regular Meeting May 13, 2024.
- 2 – May 2024 Payroll

ACTION ITEMS

Financial Reports for the Month Ending May 31, 2024
May 2024 Bills
2024-2025 Food Service Prime Vendor – Performance Foodservice
2024-2025 Milk Vendor - Prairie Farms
Amber Thomas, MS/HS Principal – Resignation
Michael Gohring, Assistant Softball Coach – Resignation
Eda Timmons, Pre-School Teacher
Isaac Ronne, HS Social Studies Teacher
Luke Anderson, Assistant Football Coach
Open Enrollments 24-25A, 24-25B and 24-25C
First Reading – Elementary Handbook
First Reading – MS/HS Handbook
Special Education Comprehensive Plan

DISCUSSION ITEMS

Budget Presentation
Book Study – Maximize Performance, Chapters 8-10

REPORTS

Superintendent Schiernbeck
Principal Rahlf
Athletic Director Rahlf
Business Manager Schmahl
NESC Representative Prins

OTHER BUSINESS – Items not on the agenda may not be voted on at this meeting

ADJOURN



Deuel School District #19-4 School
Board Meeting Minutes
May 1, 2024

The special meeting of the Deuel School District Board of Education was called to order on Monday, May 1, 2024, at 6:00 p.m. by Chairperson Nielsen. Members present included Danay Nielsen, Wade Gubrud, Joel Brandt, and Michelle Prins. Jessica TeKrony was absent. Others present included Superintendent Schiernbeck, Principal Thomas, Principal Rahlf and Business Manager Schmahl.

Action 5A-1

Motion by Prins, seconded by Gubrud to adopt the agenda with the change of moving Executive Session per SDCL 1-25-2(4) for Negotiations before the discussion items. All present voted aye. Motion carried.

There was no public comment.

There were no conflict-of-interest disclosures.

Action 5A-2

Motion by Gubrud, seconded by Brandt to enter into Executive Session per SDCL 1-25-2(4) for Negotiations at 6:01 p.m. All present voted aye. Motion carried.

Jessica TeKrony arrived at 6:02 p.m.

Chairperson Nielsen declared the board out of Executive Session at 6:55 p.m.

Business Manager Schmahl presented information on what has been spent to date on the building addition project and what expenses are remaining.

Superintendent Schiernbeck presented preliminary information for capital outlay expenses for the 2024-2025 school year.

Activities being planned for Teacher Appreciation Week were discussed.

Chapters 6 & 7 of Maximizing Performance were discussed.

Action 5A-3

Motion by Gubrud, seconded by Prins to adjourn the meeting at 8:07 p.m. All present voted aye. Motion carried.

Deuel School District #19-4 School Board Meeting Minutes
May 13, 2024

The regular meeting of the Deuel School District Board of Education was called to order on Monday, May 13, 2024, at 6:00 p.m. by Chairperson Nielsen. Members present included Danay Nielsen, Wade Gubrud, Joel Brandt, Michelle Prins and Jessica TeKrony. Others present included Superintendent Schiernbeck, Principal Rahlf, Business Manager Schmahl, Michelle Gross, Kelli DeRoy and Griffin Severson.

Action 5B-1

Motion by Gubrud, seconded by Brandt to adopt the agenda with the addition of Election Workers. All present voted aye. Motion carried.

Griffin Severson read the Mission Statement & Belief Statement.

There was no public comment.

There were no conflict-of-interest disclosures presented.

Action 5B-2

Motion by Gubrud, seconded by TeKrony to approve the consent agenda as follows: Minutes of the April 1, 2024, Special Meeting, April 8, 2024, Regular Meeting, April 11, 2024, Special Meeting April 15, 2024, Special Meeting and April 2024 Payroll – General Fund \$322,690.55, Special Education \$70,501.82, Food Service \$16,030.03 and Other Enterprise \$981.94. All present voted aye. Motion carried.

Action 5B-3

Motion by Brandt, seconded by Prins to approve the financial report for the Month Ending April 30, 2024. All present voted aye. Motion carried.

	General Fund	Capital Outlay	Capital Projects	Special Education	Food Service	Other Enterprise	Trust and Agency	Private Purpose Trust	Total
Balance 4.1.24	585,074.24	2,434,250.24	1,127,996.15	266,604.87	(40,413.39)	468.17	170,080.78	122,947.56	4,667,008.62
Receipts:									
Local	99,982.25	97,661.77	3,939.02	48,491.26	39,263.95	1,750.00	117,505.74	-	408,593.99
State	825,855.98	-	-	-	-	-	-	-	825,855.98
Federal	-	-	-	-	-	-	-	-	-
Other	-	-	-	-	-	-	-	-	-
Total Receipts	925,838.23	97,661.77	3,939.02	48,491.26	39,263.95	1,750.00	117,505.74	-	1,234,449.97
G.L. Entries	-	-	-	-	-	-	-	-	-
Disbursements:									
Accts. Payable	89,591.27	10,100.73	1,167,097.29	7,353.88	13,400.25	-	117,702.61	-	1,405,246.03
Hourly Payroll	69,543.12	-	-	44,587.03	16,030.03	981.94	-	-	131,142.12
Contracted Payroll	253,147.43	-	-	25,914.79	-	-	-	-	279,062.22
P-Card	4,399.35	3,004.08	-	-	-	-	1,546.74	-	8,950.17
Flex/HS Deducts	-	-	-	-	-	-	997.14	-	997.14
Prior Adj	(21,873.13)	16,937.80	-	-	-	-	(1,534.66)	-	(6,469.99)
CO Cert Pmts	-	-	-	-	-	-	-	-	-
Pre-Paids	28.12	-	-	-	337.54	-	-	-	365.66
Total Disbursements	394,836.16	30,042.61	1,167,097.29	77,855.70	29,767.82	981.94	118,711.83	-	1,819,293.35
Balance 4.30.24	1,116,076.31	2,501,869.40	(35,162.12)	237,240.43	(30,917.26)	1,236.23	168,874.69	122,947.56	4,082,165.24

Motion 5B-4

Motion by TeKrony, seconded by Prins to approve payment of the April 2024 bills. All present voted aye. Motion carried.

Motion 5B-5

Motion by Prins, seconded by Gubrud to accept the resignation of Carter Gordon, High School Social Studies Teacher. All present voted aye. Motion carried.

Motion 5B-6

Motion by TeKrony, seconded by Brandt to accept the resignation of Tawnya Dahl, Preschool Teacher. All present voted aye. Motion carried.

Motion 5B-7

Motion by Prins, seconded by TeKrony to accept the resignation of Andrea Shea, Paraprofessional. All present voted aye. Motion carried.

Motion 5B-8

Motion by Brandt, seconded by Gubrud to accept the resignation of Billie Jo Giesel as MS GBB Coach. All present voted aye. Motion carried.

Motion 5B-9

Motion by Brandt, seconded by TeKrony to hire Randy Haakenson as the Head GBB Coach for the 2024-2025 school year. All present voted aye. Motion carried.

Motion 5B-10

Motion by Gubrud, seconded by Prins to approve Doug and Myrna Becht as Band Volunteers. All present voted aye. Motion carried.

Motion 5B-11

Motion by Brandt, seconded by TeKrony to vote for Mark Naugle, Custer School District, for the SDHSAA West River at Large Representative. All present voted aye. Motion carried.

Motion 5B-12

Motion by Brandt, seconded by Gubrud to vote for Chuck Wilson, Todd County High School, for the SDHSAA Native American at Large Representative. All present voted aye. Motion carried.

Motion 5B-13

Motion by Gubrud, seconded by Prins to vote YES on SDHSAA Amendment #1. All present voted aye. Motion carried.

Motion 5B-14

Motion by Brandt, seconded by TeKrony to approve the list of surplus items which includes a TV, LED display, switch, DVR, projectors, Chromebooks, welder and archery set. All present voted aye. Motion carried.

Motion 5B-15

Motion by Brandt, seconded by Prins to grant Business Manager Schmahl permission to secure election workers for the June 18, 2024, Deuel School Board Election. All present voted aye. Motion carried.

The preliminary budget was discussed.

Superintendent Schiernbeck's report included: Open house/virtual tour; CPR training; staff and parent surveys; CTE Grant – Mrs. Krause; ACT will become the Junior standardized test in 25-26; end of year compliance and the next regular board meeting will be held Monday, June 10, 2024.

Principal Thomas' report (presented by Principal Rahlf) included: Staff Recognition: Karan Domina; Students of the Month High School: Zach Martinell, Autumn Kenyon, Garret Olson, Issac DeBoer, Kennedy Harmon, & Destiny Bekaert; Students of the Month Middle School: Lennix Adler, Huxley Hennings, RJ Matthies & Molly Dailey; 5th/8th Grade Orientation Night with 70% 5th grade attendance and 78% 8th grade attendance; Academic Awards Night; Graduation; and Teacher Appreciation Week with a 90's theme.

Principal Rahlf's report included: March Students of the Month – JK - Reid Sander, K - Rose Bolden, 1st - Carter Lipp, 2nd - Kylie Marko, 3rd - Kollyns Rolfsmeier, 4th - Ariel Greene, 5th - Joshua DeRoy ; April Cardinal Card Winners - Luella Seuser, Mason Wieber, Kamron Engen, Adalynn Pohlman, Cam Warren; 3rd-5th Grade Music and 5th grade band concert will be held on May 14th at 6:30 p.m.; South Dakota Assessment - results will be sent home with end of the year report cards; MAPS Measurement; The Family Reports will be sent home with report cards; Family Engagement update; Teacher Appreciation; and Staff Recognition: Alexis Warren.

Athletic Director Rahlf's report included: Spring Athletic Banquet will be held on May 22nd starting at 7:00 p.m. in the Cardinal Gym; Region track, golf and softball dates and locations: Last Chance Meet - Track – May 15th – Flandreau - no longer a region track meet, Golf – May 20th – Watertown (Cattail Crossing), Softball – May 21st – opponent and location TBD; and State track, golf and softball dates and locations: Track - May 23rd, 24th and 25th – Howard Wood Field – Sioux Falls, Golf – June 3rd and 4th – Girls @ Edgebrook in Brookings and Boys @ the Country Club – Brookings, Softball – May 30th, 31st, and June 1st – Players Softball Complex in Aberdeen.

Business Manager Schmahl's report included: School Board Vacancies/Election; Benefit Open Enrollment; SDASBO Conference; Contracts; and SUI – End of Fiscal Year Workshop 5.30.24.

NESC Representative Prins reported on the April 15th NESC meeting.

An interim meeting will be held Monday, June 3, 2024, at 6:00 p.m.

Next regular meeting will be Monday, June 10, 2024, at 6:00 p.m.

Action 5B-16

Motion by Prins, seconded by Gubrud to enter into Executive Session per SDCL 1-25-2(4) for Negotiations at 7:21 p.m.

Chairperson Nielsen declared the board out of Executive Session at 8:43 p.m.

Action 5B-17

Motion by Gubrud, seconded by Prins to adjourn at 8:44 p.m. All present voted aye. Motion carried.

May 2024 Payroll

Hourly	General	Spec. Ed.	Food Serv	Other Ent.
OASI	\$ 9,418.10	\$ 4,772.84	\$ 2,137.96	\$ -
FIT	\$ 2,237.25	\$ 851.88	\$ 231.82	\$ -
INS	\$ 10,852.82	\$ 11,973.45	\$ 2,578.05	\$ -
SDRS	\$ 5,124.32	\$ 4,014.56	\$ 1,444.40	\$ -
OD	\$ 482.76	\$ 1,098.70	\$ 250.00	\$ -
NET	\$ 51,451.38	\$ 24,910.49	\$ 11,587.75	\$ -
TOTAL	\$ 79,566.63	\$ 47,621.92	\$ 18,229.98	\$ -
Total Hourly		\$ 145,418.53		
Contracted	General	Spec. Ed.	\$ -	
OASI	\$ 30,820.14	\$ 2,900.84	\$ -	
FIT	\$ 13,950.73	\$ 875.12	\$ -	
INS	\$ 31,025.05	\$ 4,968.00	\$ -	
SDRS	\$ 24,455.00	\$ 2,418.80	\$ -	
OD	\$ 6,958.16	\$ 553.67	\$ -	
NET	\$ 154,049.90	\$ 14,829.35	\$ -	
TOTAL	\$ 261,258.98	\$ 26,545.78	\$ -	
Total Contracted		\$ 287,804.76		
Total Payroll		\$ 433,223.29		

DEUEL SCHOOL DISTRICT 19-4
CASH REPORT

	General Fund	Capital Outlay	Capital Projects	Special Education	Food Service	Other Enterprise	Trust and Agency	Private Purpose Trust	Total
Balance 5.1.24	1,116,076.31	2,501,869.40	(35,162.12)	237,240.43	(30,917.26)	1,236.23	168,874.69	122,947.56	4,082,165.24
Receipts:									
Local	658,239.41	638,736.61	-	332,815.69	19,379.69	1,000.00	92,742.64	-	1,742,914.04
State	129,484.36	-	-	-	-	-	-	-	129,484.36
Federal	33,070.00	-	-	-	-	-	-	-	33,070.00
Other	-	-	-	-	-	-	-	-	-
Total Receipts	820,793.77	638,736.61	-	332,815.69	19,379.69	1,000.00	92,742.64	-	1,905,468.40
G.L. Entries	-	-	-	-	-	-	-	-	-
Disbursements:									
Accts. Payable	91,315.56	56,396.10	50,069.00	7,586.51	22,260.97	-	100,621.52	-	328,249.66
Hourly Payroll	79,566.63	-	-	47,621.92	18,229.98	-	-	-	145,418.53
Contracted Payroll	261,258.98	-	-	26,545.78	-	-	-	-	287,804.76
P-Card	4,960.64	3,822.35	-	91.39	-	-	2,434.65	-	11,309.03
Flex/HS Deducts	-	-	-	-	-	-	854.84	-	854.84
Prior Adj	219.54	(8,699.54)	8,480.00	-	-	-	-	-	-
CO Cert Pmts	-	-	-	-	-	-	-	-	-
Pre-Paid	27.77	-	-	-	209.64	-	-	-	237.41
Total Disbursements	437,349.12	51,518.91	58,549.00	81,845.60	40,700.59	-	103,911.01	-	773,874.23
Balance 5.31.24	1,499,520.96	3,089,087.10	(93,711.12)	488,210.52	(52,238.16)	2,236.23	157,706.32	122,947.56	5,213,759.41

	<u>10 GENERAL FUND</u>	<u>21 CAPITAL OUTLAY</u>	<u>22 SPECIAL EDUCATION FUND</u>	<u>41 CAPITAL PROJECTS FUND</u>	<u>51 FOOD SERVICE</u>	<u>53 OTHER ENTERPRISE FUND</u>	<u>Total</u>
Total Assets and Deferred Outflows of Resources							
Current Assets							
101 GF Demand Deposits	24,850.86	43,717.59	0.00	45,870.00	(34.40)	(15.98)	114,388.07
102 PAYROLL DEPOSITS	(6,334.16)	0.00	(703.73)	0.00	0.29	11,386.23	4,348.63
105 POOLED FUND DEPOSITS	1,481,004.26	3,045,369.51	488,914.25	(139,581.12)	(52,204.05)	(9,134.02)	4,814,368.83
108 GF Advance Payments	5,356.35	0.00	0.00	0.00	0.00	0.00	5,356.35
110 222 SE - Taxes Receivable - Payable 2023	(70,549.76)	(65,146.27)	(29,924.77)	0.00	0.00	0.00	(165,620.80)
110 223 TAXES RECEIVABLE 2024	(72,976.24)	(119,878.17)	(63,471.07)	0.00	0.00	0.00	(256,325.48)
110 SPED TAXES RECEIVABLE	(726,573.26)	(708,270.61)	(374,999.26)	0.00	0.00	0.00	(1,809,843.13)
112 218 TAXES RECEIVABLE	56.98	0.00	265.16	0.00	0.00	0.00	322.14
112 219 TAXES RECEIVABLE	858.61	438.22	227.75	0.00	0.00	0.00	1,524.58
112 220 SE Tax Receivable - Payable 2021	2,168.35	1,562.14	839.77	0.00	0.00	0.00	4,570.26
112 221 SE - Taxes Receivable - Payable 2022	5,793.91	3,567.80	1,887.75	0.00	0.00	0.00	11,249.46
112 SPED TAXES RECEIVABLE - PRIOR YEARS	(2,233.08)	(890.37)	(408.77)	0.00	0.00	0.00	(3,532.22)
120 011 GF Accounts Receivable Regular	1,546.38	0.00	0.00	0.00	285.76	0.00	1,832.14
120 012 GF Accounts Receivable Collections	0.00	0.00	0.00	0.00	3,382.25	1,567.78	4,950.03
120 ACCOUNTS RECEIVABLE	0.00	0.00	0.00	0.00	691.07	0.00	691.07
140 GF Due From Federal Govt	94,341.92	0.00	0.00	0.00	0.00	0.00	94,341.92
170 101 SUPPLIES INVENTORY CLEAR LAKE	0.00	0.00	0.00	0.00	1,874.32	0.00	1,874.32
171 101 FOOD INVENTORY CLEAR LAKE	0.00	0.00	0.00	0.00	2,443.39	0.00	2,443.39
172 101 COMMODITY INVENTORY CLEAR LAKE	0.00	0.00	0.00	0.00	980.09	0.00	980.09
196 NET PENSION ASSET	0.00	0.00	0.00	0.00	152.12	22.83	174.95
Current Assets	737,311.12	2,200,469.84	22,627.08	(93,711.12)	(42,429.16)	3,826.84	2,828,094.60
Long-term Assets							
204 EQUIPMENT-LOCAL	0.00	0.00	0.00	0.00	61,635.17	0.00	61,635.17
205 EQUIPMENT-FEDERAL ASSIST.	0.00	0.00	0.00	0.00	2,893.26	0.00	2,893.26
208 ACCUM DEPRECIATION-LOCAL	0.00	0.00	0.00	0.00	(51,646.23)	0.00	(51,646.23)
209 ACCUM DEPR-FEDERAL	0.00	0.00	0.00	0.00	(2,893.26)	0.00	(2,893.26)

Balance Sheet - Combined
Period Ending: May 2024

	<u>10 GENERAL FUND</u>	<u>21 CAPITAL OUTLAY</u>	<u>22 SPECIAL EDUCATION FUND</u>	<u>41 CAPITAL PROJECTS FUND</u>	<u>51 FOOD SERVICE</u>	<u>53 OTHER ENTERPRISE FUND</u>	<u>Total</u>
Long-term Assets	0.00	0.00	0.00	0.00	9,988.94	0.00	9,988.94
Deferred Outflows of Resources							
252 014 PENSION RELATED DEFERRED OUTFLOWS	0.00	0.00	0.00	0.00	1,295.00	240.00	1,535.00
252 PENSION RELATED DEFERRED OUTFLOWS	0.00	0.00	0.00	0.00	24,206.05	3,965.11	28,171.16
Deferred Outflows of Resources	0.00	0.00	0.00	0.00	25,501.05	4,205.11	29,706.16
Total Assets and Deferred Outflows of Resources	737,311.12	2,200,469.84	22,627.08	(93,711.12)	(6,939.17)	8,031.95	2,867,789.70
Total Liabilities, Deferred Inflows of Resources, and Fund Equity							
Current Liabilities							
402 ACCOUNTS PAYABLE	396.54	0.00	88.20	0.00	0.00	0.00	484.74
404 CONTRACTS PAYABLE	56,373.28	0.00	251.64	0.00	0.00	0.00	56,624.92
451 FICA PAYABLE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
452 FIT PAYABLE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
453 INSURANCE PAYABLE	2,836.59	0.00	673.83	0.00	20.68	122.24	3,653.34
454 RETIREMENT PAYABLE	87.00	0.00	0.00	0.00	0.00	0.00	87.00
455 OTHER DEDUCTIONS PAYABLE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
456 TSA PAYABLE	25.00	0.00	0.00	0.00	0.00	0.00	25.00
457 BENEFITS PAYABLE	23,353.57	0.00	12,197.40	0.00	8,714.90	0.00	44,265.87
459 MNSIT PAYABLE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
471 DEPOSITS PAYABLE	0.00	0.00	0.00	0.00	11,207.11	0.00	11,207.11
Current Liabilities	83,071.98	0.00	13,211.07	0.00	19,942.69	122.24	116,347.98
Long-term Liabilities							
506 Net OPEB Liability	0.00	0.00	0.00	0.00	14,502.00	2,689.00	17,191.00
559 OTHER DEFERRED INFLOWS	0.00	0.00	0.00	0.00	12,655.54	0.00	12,655.54
Long-term Liabilities	0.00	0.00	0.00	0.00	27,157.54	2,689.00	29,846.54
Other Liabilities							
475 Unearned Revenue	0.00	0.00	0.00	0.00	54,060.01	0.00	54,060.01
Other Liabilities	0.00	0.00	0.00	0.00	54,060.01	0.00	54,060.01

Deferred Inflows of Resources

	<u>10 GENERAL FUND</u>	<u>21 CAPITAL OUTLAY</u>	<u>22 SPECIAL EDUCATION FUND</u>	<u>41 CAPITAL PROJECTS FUND</u>	<u>51 FOOD SERVICE</u>	<u>53 OTHER ENTERPRISE FUND</u>	<u>Total</u>
551 UNAVAILABLE REVENUE- PROPERTY TAXES	(933,409.26)	(888,617.26)	(465,583.44)	0.00	0.00	0.00	(2,287,609.96)
554 014 PENSION RELATED DEFERRED INFLOWS	0.00	0.00	0.00	0.00	(8,789.54)	717.00	(8,072.54)
554 PENSION RELATED DEFERRED INFLOWS	0.00	0.00	0.00	0.00	20,210.48	1,652.48	21,862.96
559 OTHER DEFERRED INFLOWS	0.00	0.00	0.00	0.00	0.00	1,390.07	1,390.07
Deferred Inflows of Resources	(933,409.26)	(888,617.26)	(465,583.44)	0.00	11,420.94	3,759.55	(2,272,429.47)
Fund Balance							
706 TOTAL FIXED ASSETS	0.00	0.00	0.00	0.00	9,988.94	0.00	9,988.94
707 RESTRICTED NET POSITION	0.00	0.00	0.00	0.00	(5,341.77)	(4,441.61)	(9,783.38)
708 008 UNRESTRICTED NET ASSETS	0.00	0.00	0.00	0.00	0.00	4,420.61	4,420.61
708 080 UNRESTRICTED NET ASSETS	0.00	0.00	0.00	0.00	0.00	43,956.90	43,956.90
708 UNRESTRICTED NET ASSETS	0.00	0.00	0.00	0.00	(124,167.52)	(42,474.74)	(166,642.26)
722 005 FUND BALANCE UNDESIGNATED	0.00	0.00	0.00	(2,449,053.33)	0.00	0.00	(2,449,053.33)
722 Capital Projects Fund Balance	0.00	0.00	0.00	2,355,342.21	0.00	0.00	2,355,342.21
723 RESTRICTED-CAPITAL OUTLAY	0.00	3,089,087.10	0.00	0.00	0.00	0.00	3,089,087.10
724 RESTRICTED-SPEC. ED.	0.00	0.00	474,999.45	0.00	0.00	0.00	474,999.45
749 920 RESTRICTED-PERKINS	(15,851.63)	0.00	0.00	0.00	0.00	0.00	(15,851.63)
753 ASSIGNED-UNEMPLOYMENT	17,707.00	0.00	0.00	0.00	0.00	0.00	17,707.00
760 UNASSIGNED -GENERAL FUND	1,585,793.03	0.00	0.00	0.00	0.00	0.00	1,585,793.03
Fund Balance	1,587,648.40	3,089,087.10	474,999.45	(93,711.12)	(119,520.35)	1,461.16	4,939,964.64
Total Liabilities, Deferred Inflows of Resources, and Fund Equity	737,311.12	2,200,469.84	22,627.08	(93,711.12)	(6,939.17)	8,031.95	2,867,789.70

<u>Chart of Account Number</u>	<u>Chart of Account Description</u>	<u>Beginning Balance</u>	<u>Expenses</u>	<u>Revenues</u>	<u>Balance Change</u>	<u>Balance</u>
60 759 804	CLASS OF 2022	(183.91)	0.00	0.00	0.00	(183.91)
60 759 807	FFA	8,192.82	1,019.38	0.00	0.00	7,173.44
60 759 808	HS STUDENT COUNCIL	7,349.78	159.73	384.81	0.00	7,574.86
60 759 809	NATIONAL HONOR SOCIETY	1,174.26	0.00	0.00	0.00	1,174.26
60 759 810	KEY CLUB	3,156.80	1,056.99	1,555.00	0.00	3,654.81
60 759 811	CLEARING ACCOUNT	3,431.43	15,941.83	18,223.05	0.00	5,712.65
60 759 812	ACTIVITY TICKETS	4,151.75	0.00	0.00	0.00	4,151.75
60 759 813	IMPREST FUND	2,130.67	13,674.30	3,828.55	0.00	(7,715.08)
60 759 819	BAND	5,912.53	0.00	0.00	0.00	5,912.53
60 759 822	MENTORSHIP PROGRAM	2,402.84	0.00	0.00	0.00	2,402.84
60 759 823	VOCAL	1,638.46	0.00	0.00	0.00	1,638.46
60 759 825	CHEERLEADERS	1,970.39	0.00	0.00	0.00	1,970.39
60 759 828	TEACHERS LOUNGE	0.00	0.00	0.00	0.00	0.00
60 759 829	LAPTOP DEPOSIT	13,005.56	0.00	200.00	0.00	13,205.56
60 759 831	RACHELS CHALLENGE	4,914.70	0.00	0.00	0.00	4,914.70
60 759 834	Oral Interp	200.00	0.00	0.00	0.00	200.00
60 759 835	BAND TRIP FUND	8,379.62	2,666.92	1,629.00	0.00	7,341.70
60 759 836	YEARBOOK STAFF	1,427.34	0.00	0.00	0.00	1,427.34
60 759 837	GYMNASTICS CLUB	68.77	0.00	0.00	0.00	68.77
60 759 838	ART CLUB	2,050.85	0.00	0.00	0.00	2,050.85
60 759 839	SOFTBALL	290.00	90.00	0.00	0.00	200.00
60 759 840	MEDICAL TRUST	5,802.75	60,867.02	63,747.43	0.00	8,683.16
60 759 853	Play Donation	800.00	0.00	0.00	0.00	800.00
60 759 854	Deuel Drama Club	(560.47)	0.00	1,308.26	0.00	747.79
60 759 855	SPECIAL OLYMPICS	4,632.60	0.00	0.00	0.00	4,632.60
60 759 861	MS STUDENT COUNCIL	2,763.50	748.67	51.25	0.00	2,066.08
60 759 863	BOX TOPS	5,033.03	1,008.09	48.00	0.00	4,072.94
60 759 864	Class Composites Project	244.48	0.00	0.00	0.00	244.48
60 759 865	CARDNIAL CARDS	259.83	0.00	0.00	0.00	259.83
60 759 868	PLAYGROUND CLEARING	514.97	0.00	0.00	0.00	514.97
60 759 869	DISTRICT/REGIONAL EVENT	(1,079.50)	0.00	0.00	0.00	(1,079.50)
60 759 870	STUDENT ASSISTANCE	4,838.54	0.00	273.00	0.00	5,111.54
60 759 875	PRESCHOOL PARENTS	1,559.25	0.00	0.00	0.00	1,559.25
60 759 876	SCOREBOARD ADS	62,800.00	5,300.00	0.00	0.00	57,500.00
60 759 885	ENGRAVER-RESALE	1,018.61	0.00	0.00	0.00	1,018.61
60 759 886	MULTI MEDIA ADS	3,205.10	0.00	0.00	0.00	3,205.10
60 759 900	CONNECT FOR KIDS	0.00	0.00	0.00	0.00	0.00
60 759 901	SPECIAL DONATIONS	4,100.00	0.00	0.00	0.00	4,100.00

<u>Chart of Account Number</u>	<u>Chart of Account Description</u>	<u>Beginning Balance</u>	<u>Expenses</u>	<u>Revenues</u>	<u>Balance Change</u>	<u>Balance</u>
60 759 902	GOLF	3,665.72	0.00	0.00	0.00	3,665.72
60 759 903	EDUCATORS RISING	100.00	0.00	0.00	0.00	100.00
60 759 904	ESports	2,070.34	0.00	0.00	0.00	2,070.34
60 759 910	SECT. 125 REIMB.	3,035.24	854.84	1,238.29	0.00	3,418.69
60 759 920	DEWAL PERKINS	(5,765.80)	0.00	0.00	0.00	(5,765.80)
60 759 923	Class of 2023	133.43	0.00	0.00	0.00	133.43
60 759 924	Class of 2024	412.56	0.00	0.00	0.00	412.56
60 759 925	Class of 2025	809.46	523.24	256.00	0.00	542.22
Fund Total: 60		172,058.30	103,911.01	92,742.64	0.00	160,889.93

<u>Vendor</u>	<u>Description</u>	<u>Invoice Amount</u>
Fund: 10 GENERAL FUND		
A&B PURE WATER	SUPPLIES	172.50
A-OX WELDING SUPPLY CO. INC	SUPPLIES	124.05
ABSOLUTE LAWN CARE & PROPERTY SERVICES	PURCHASED SERVICES	625.00
BARONDEAU, NANCY	PURCHASED SERVICES	180.00
BJERKE SANITATION	GARBAGE REMOVAL	450.00
BROOKINGS AREA CPR CTC	PURCHASED SERVICES	209.00
CHURCHILL, MANOLIS, FREEMAN, KLUDT, SHELTON & BURNS LLP	PURCHASED SERVICES	84.05
CITY OF CLEAR LAKE	PURCHASED SERVICES, WATER & SEWER	1,277.61
CLEAR LAKE BUILDING CENTER	SUPPLIES	186.81
CLEAR LAKE COURIER	PURCHASED SERVICES	1,228.39
COWBOY COUNTRY STORES	FUEL	87.80
DAKOTA SPORTS INC	SUPPLIES	32.00
DEUEL BOOSTER CLUB	CONCESSIONS	14,343.65
DEUEL COUNTY CENEX	CONCESSIONS & FUEL	7,004.02
DEUEL COUNTY MOTOR SUPPLY	SUPPLIES	476.95
DEUEL SCHOOL - TRUST & CUSTODIAL	IMPREST FUND REIMBURSEMENT	13,299.45
ECOLAB PEST ELIMINATION SERVICE	PURCHASED SERVICES	72.03
ESTELLINE SCHOOL	PERKINS	3,199.34
FLORAL & FINDS	SUPPLIES	415.77
FRANKEN, BLAINE	PURCHASED SERVICES	180.00
GROSS, MICHELLE	PURCHASED SERVICES	180.00
HILLYARD/SIOUX FALLS	SUPPLIES	5,916.91
IROQUOIS SCHOOL DISTRICT	PERKINS	5,971.99
ITC	COMMUNICATIONS	697.29
JAYMAR BUSINESS FORMS	SUPPLIES	240.36
JOHNSON PLASTICS PLUS	SUPPLIES	264.70
MAYNARDS	SUPPLIES & CONCESSIONS	383.65
MCLEOD'S PRINTING & OFFICE SUP	SUPPLIES	67.54
MILBANK GLASS & MORE	REPAIRS & MAINTENANCE	372.00

<u>Vendor</u>	<u>Description</u>	<u>Invoice Amount</u>
Mystery Science	SUPPLIES	710.00
NORTHEAST EDUC'L SERVICES COOP	CO-OP SERVICES	34.60
NORTHWESTERN	NATURAL GAS	515.91
OTTER TAIL POWER COMPANY	ELECTRICITY	3,633.62
Soter Technologies, LLC	PURCHASED SERVICES	450.00
TECHNOLOGY AND INNOVATION IN EDUCATION	PURCHASED SERVICES	300.00
TESTOUT CORPORATION	PERKINS	2,391.00
Time Management Systems	PURCHASED SERVICES	9.00
TWIN CITY HARDWARE	SUPPLIES	88.75
USPS	POSTAGE	266.00
Fund Total:		66,141.74
Fund: 21 CAPITAL OUTLAY		
A&B BUSINESS SOLUTIONS	PURCHASED SERVICES	9,176.76
DAKOTA SPORTS INC	EQUIPMENT	2,218.00
ESTELLINE SCHOOL	EQUIPMENT	7,316.00
STERLING COMPUTERS	EQUIPMENT	25,630.00
ULINE	EQUIPMENT	1,028.89
Fund Total:		45,369.65
Fund: 22 SPECIAL EDUCATION FUND		
MAYNARDS	SUPPLIES	40.95
NORTHEAST EDUC'L SERVICES COOP	CO-OP SERVICES	7,250.69
Fund Total:		7,291.64
Fund: 41 CAPITAL PROJECTS FUND		
CO-OP ARCHITECTURE	BUILDINGS	3,685.50
HASSLEN CONSTRUCTION	BUILDINGS	2,643.00
Fund Total:		6,328.50
Fund: 51 FOOD SERVICE		
DEUEL SCHOOL - TRUST & CUSTODIAL	IMPREST FUND REIMBURSEMENT	12.00
EAST SIDE JERSEY DAIRY, INC	MILK	982.41
HILLYARD/SIOUX FALLS	SUPPLIES	653.90
MAYNARDS	GROCERIES	1,568.13
Performance Foodservice	GROCERIES	2,111.30
Fund Total:		5,327.74
Checking Account Total:		130,459.27
		14

Checking Account: 1

1

Check Number: 43960

Check Type: Check

Check Date: 06/10/2024 Vendor: DEUEL8

DEUEL SCHOOL - TRUST & CUSTODIAL

Check Total:

8,753.94

<u>Invoice Number</u>	<u>Invoice Date</u>	<u>PO Number</u>	<u>Detail Description</u>	<u>Chart of Account Number</u>	<u>Detail Amount</u>
35562	05/02/2024		AWARDS NIGHT	10 2129 113 411	231.79
35564	05/02/2024		TRACK MEET	10 6911 000 319	225.00
35567	05/03/2024		COACHES TRAINING	10 6130 000 334	868.64
35568	05/07/2024		FINGER PRINTS	10 2319 000 319	43.25
35570	05/07/2024		SB OFFICIAL	10 6250 000 319	195.34
35571	05/07/2024		SB OFFICIAL	10 6250 000 319	254.86
35572	05/07/2024		SB OFFICIAL	10 6250 000 319	150.26
35573	05/07/2024		SB OFFICIAL	10 6250 000 319	167.54
35574	05/08/2024		FIELD TRIP	10 1111 000 334	30.00
35577	05/08/2024		GOLF ENTRY FEE	10 6912 000 319	70.00
35578	05/08/2024		GOLF ENTRY FEE	10 6912 000 319	40.00
35579	05/08/2024		GOLF ENTRY FEE	10 6912 000 319	75.00
35580	05/08/2024		SB OFFICIAL	10 6250 000 319	157.54
35581	05/08/2024		SB OFFICIAL	10 6250 000 319	165.70
35582	05/09/2024		FIELD TRIP CHAPERONE	10 1111 000 334	36.00
35583	05/09/2024		LCC TRACK MILEAGE	10 6911 000 334	69.36
35584	05/09/2024		ART SUPPLIES	10 1131 020 411	8.49
35585	05/09/2024		AMAZING RACE	10 2411 000 411	39.50
35585	05/09/2024		AMAZING RACE	10 2413 000 411	39.50
35596	05/13/2024		GOLF ENTRY FEE	10 6912 000 319	140.00
35597	05/13/2024		GOLF ENTRY FEE	10 6912 000 319	40.00
35599	05/14/2024		LATE SENT BILL	10 2542 000 321	49.23
35599	05/14/2024		LATE SENT BILL	10 2559 000 321	255.19
35600	05/14/2024		OFFICIAL	10 6250 000 319	140.26
35601	05/14/2024		OFFICIAL	10 6250 000 319	157.54
35602	05/14/2024		FROM LUNCH TO KEY CLUB BURY	51 1610 000	12.00
35603	05/14/2024		TPT - MAALAND	10 1131 010 411	140.05
35605	05/14/2024		TPT - SWENSON	10 1111 000 411	59.68
35606	05/14/2024		TEACHER APPRECIATION MEAL	10 2319 000 319	1,200.00
35608	05/14/2024		TPT - FOLK	10 2129 111 411	59.86
35609	05/15/2024		2ND GRADE CHAPERONES	10 1111 000 334	111.00
35610	05/15/2024		GOLF ENTRY FEE	10 6912 000 319	160.00
35612	05/20/2024		OFFICIAL	10 6250 000 319	224.86
35613	05/20/2024		OFFICIAL	10 6250 000 319	157.54
35614	05/20/2024		FINGERPRINTS	10 2319 000 319	43.25
35618	05/20/2024		AWARD YEARS	10 2219 000 319	210.00
35619	05/22/2024		STATE TRACK MEALS	10 6911 000 334	2,010.00
35620	05/22/2024		CREDIT REIMB	10 2219 000 290	350.00
35621	05/22/2024		CLASSROOM SUPPLIES	10 1111 000 411	211.59

Checking Account:	1	1				
35622	05/22/2024		CLASSROOM SUPPLIES	10 1111 000 411	154.12	
Check Number: 43961	Check Type: Check	Check Date: 06/10/2024	Vendor: DEUEL8	DEUEL SCHOOL - TRUST & CUSTODIAL	Check Total:	4,557.51
<u>Invoice Number</u>	<u>Invoice Date</u>	<u>PO Number</u>	<u>Detail Description</u>	<u>Chart of Account Number</u>	<u>Detail Amount</u>	
35623	05/22/2024		CLASSROOM SUPPLIES	10 1111 000 411	245.19	
35624	05/22/2024		CLASSROOM SUPPLIES	10 1121 000 411	130.75	
35625	05/22/2024		TRACK ENTRY FEE	10 6911 000 319	256.63	
35626	05/22/2024		STATE GOLF MEALS	10 6912 000 334	628.00	
35628	05/28/2024		BM WORKSHOP	10 2529 000 334	50.00	
35630	05/28/2024		REGION SB TICKET TAKER	10 6250 000 319	25.00	
35631	05/28/2024		REGION SB TICKET TAKER	10 6250 000 319	25.00	
35632	05/28/2024		CLASSROOM SUPPLIES	10 1111 000 411	400.00	
35633	05/28/2024		MILEAGE	10 2529 000 334	30.60	
35634	05/28/2024		SB OFFICIAL	10 6250 000 319	112.54	
35635	05/28/2024		SB OFFICIAL	10 6250 000 319	136.00	
35636	05/28/2024		ST SB MEALS	10 6250 000 334	2,222.00	
35644	05/29/2024		BOYS STATE GOLF TEE TIME	10 6912 000 319	165.00	
35645	05/29/2024		GIRLS STATE GOLF TEE TIME	10 6912 000 319	98.80	
35646	05/29/2024		COACHING DUES	10 6990 000 640	32.00	

*Denotes Expensed Invoice Item

Checking Account ID: 1

Total without Voids: 13,311.45

Deuel School District
Child Nutrition Prime Vendor Contract

This agreement is entered into this 10th day of June, 2024, by and between Performance Foodservice ("Prime Vendor") and the Deuel School District ("The District").

1. Scope of Services

Prime Vendor shall receive, handle, store and deliver commodities to all The District schools as specifically set forth in the Request for Proposal for Prime Vendor ("RFP"), and Prime Vendor's Response to the RFP for Prime Vendor, which are herein expressly incorporated by reference to this contract.

Prime Vendor shall use its best efforts to perform all tasks and achieve the objectives set forth in the scope of services.

Prime Vendor shall provide, at its own expense, all personnel required in performing the services under this contract.

2. Term

This contract shall be in effect from August 1, 2024, through July 31, 2025. This will be year one of the optional four-year renewal period. Should, during the term of this contract, one of the named districts in the Request for Proposal for Prime Vendor cancel said contract, Prime Vendor would be allowed to renegotiate the contract with the remaining districts.

No work shall commence before a Prime Vendor receives a fully executed contract and has been given approval to proceed. Any work performed by the Prime Vendor prior to obtaining a fully executed contract with approval to proceed shall not be compensated pursuant to this contract. Any continuation of the contract beyond this term must be set forth in writing and signed by the original signatories to the contract.

3. Pricing Method

a. Proposal Pricing

Prime Vendor shall ensure that The District receives the best possible delivered price for all goods covered by this contract. The required methods for determining product prices in the agreement are for items listed in "Market Basket" may fluctuate as market determines to give best pricing possible for the school district." The "Market Basket" method shall be used for all items in the product list. All other items shall employ the Cost plus Fixed Fee method of pricing. Fixed Fee will be held for the entire length of the one year contract. Cost plus Fixed Fee will be \$2.99 per case.

Cost is defined below:

Cost is derived from the most recent invoice cost to the Prime Vendor distribution center of such product, including any sales, use, excise or other taxes and governmental duties or assessments thereon, whenever assessed, plus applicable freight charges to deliver such products to Prime Vendor's distribution center, plus storage and handling charges associated with forward purchases, if any. Cash discounts are at the discretion of Prime Vendor and do

not reduce the cost of products. When a vendor does not extend a cash discount, a two percent (2%) cash equalization factor is taken in order to establish Prime Vendor's invoice cost. The cost of all products sold hereunder will be determined by Prime Vendor, and such determination shall be conclusive and binding for all purposes. Prime Vendor provides an array of services for supplier of national, regional, local and Prime Vendor brands beyond typical procurement activities. These value added services including consolidated warehousing, merchandising activities, quality assurance, Prime Vendor brand development, performance based product marketing, and freight management. Prime Vendor recovers the cost of these services through earned income. The District acknowledges and agrees that such earned income does not reduce the cost basis of the product nor does it impact Prime Vendor's ability to deliver products at a competitive price.

b. Acts of God Clause

If a guaranteed delivered item price increases due to an Act of God, Prime Vendor will review the pricing adjustment options at that time. If a compromise cannot be made, the school may go back out to bid on the item(s) in question.

c. Net Off Invoice (NOI) Items

The District will notify Prime Vendor of any items they are intending on purchasing with the NOI program before the initial order. This insures the item will be set up to process the NOI discount (PTV). In the case of manufacturer shorts on NOI items, Prime Vendor will find a replacement item to fulfill the order, but this item may not be NOI – eligible. Prime Vendor is not responsible for the price difference due to the lack of a NOI discount (PTV).

d. Fixed Fee per Case

Category	Fixed Fee per Case
Produce	\$2.99
Protein (Beef, Pork, Poultry & Seafood)	\$2.99
Dairy/Non Dairy	\$2.99
Frozen Foods	\$2.99
Refrigerated Foods	\$2.99
Dry Grocery	\$2.99
Non Foods	\$2.99

4. Recordkeeping

Books and records of The District's purchases shall be made available, upon demand, in an easily accessible manner for a period of three years from the end of the agreement term (including renewals) to which they pertain, for audit, examination, excerpts and transcriptions by The District, state and federal representatives and auditors.

5. Auditing Rights

The District reserves the right to conduct quarterly audits to ensure that The District receives the best possible Net Delivered Price for all goods covered by this contract. Distributor shall be responsible for demonstrating that the frequency and adequacy of its efforts to obtain the best prices for goods covered by this contract are reasonable to accomplish this objective. Failure to audit in a particular quarter relieves Prime Vendor of its obligations relating to The District's audit rights.

The Distributor shall furnish computer verification of costs for line items to be price verified. The Distributor shall be notified of the date and time of the price verification ten business days in advance. The District will provide a listing of items to be verified, not to exceed 30 items, and the date of the pricing period to be verified. If an error rate in excess of 10% were found, a complete market basket audit could be performed.

The Distributor shall be able to provide cost data from purchases between divisions or departments within their own organizations and from cooperatives to which they belong.

6. Food Laws

Distributor shall operate in accordance with all applicable laws, ordinances, regulations and rules of federal, state and local authorities.

Upon request from The District, Distributor shall provide:

- Letter of guarantee of compliance with food laws.
- Latest facility inspection forms and comments from applicable federal, state and local agencies.
- Procedures for food safety and sanitation, including procedures used for product holds or recalls.

7. Insurance

Distributor shall maintain all necessary and proper insurance for the duration of the work to be performed, including Comprehensive General Liability Insurance and Property Damage Insurance, Workers Compensation Insurance, and Automobile Liability Insurance.

Distributor shall provide certificates of insurance. Should any required insurance be canceled before the expiration date, the issuing company will provide a written 30 day notice, by mail, to The District.

8. Taxes

The District is a tax exempt, non-profit organization and will provide Tax ID upon request.

9. Buy American

By participating in federal school meal programs, Local Agencies are required to purchase domestic commodities and products for school meals to the maximum extent practicable. For purposes of this provision, the term domestic food commodity or product means an agricultural commodity produced in the United and a food product that is processed in the United States

SUBSTANTIALLY (minimum 51%) using agricultural commodities that are produced in the United States.

While rare, two (2) exceptions may exist when:

1. the product is not produced or manufactured in the US in sufficient, reasonable, and available quantities of a satisfactory quality, and
2. competitive proposals reveal the cost of domestic product is significantly higher than a non-domestic product.

Exceptions to the Buy American provision are limited, and the District should consider the use of a domestic alternative food before approving an exception.

All products that are normally purchased by the distributor as non-domestic and proposed as part of this solicitation must be identified with the country of origin. Distributors shall outline their procedures to notify the school or agency when products are purchased as non-domestic.

Any substitution of a non-domestic product for a domestic product (which was originally part of the solicitation), must be approved by the District prior to the delivery of the product. Before approving an alternative or exception, the request to consider the use of domestic alternative foods before approving an exception. Any non-domestic product delivered without approval may be returned to the distributor and not accepted within 24 hours of delivery. If the substitution falls within one of the previously listed exceptions, the distributor should supply the District with supporting documentation upon request.

The distributor must affirm their willingness to assert their best and reasonable efforts to ensure compliance with this federal rule.

10. Certification Regarding Debarment or Suspension

The Distributor certifies that neither the Distributor or its principals; the sub-recipients or their principals; or the subcontractors or their principals are suspended, debarred, proposed for debarment, voluntarily excluded from covered transactions, or otherwise disqualified by any federal department or agency from doing business with the Federal government pursuant to Executive Orders 12549 and 12689. The Distributor specifically covenants that neither the Distributor nor its principals; the subcontractors or their principals; nor the sub-recipients or their principals are included on the Excluded Parties List System (EPLS) maintained by the General Services Administration (GSA).

11. Lobbying

If the negotiated agreement exceeds \$100,000, Distributor certifies that no federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence any federal agency or Congress with respect to the awarding of a federal contract, etc.

If Distributor has paid, or will pay, any funds other than federal appropriated funds to any person for influencing or attempting to influence an officer or employee of any federal agency or Congress, Distributor is required to submit a "Disclosure Form to Report Lobbying" at the time of the executed contract and at the time of any renewal(s).

12. Other Federally Required Contractual Provisions

If the contract exceeds \$2,500, Distributor is required to comply with sections 103 and 107 of the Contract Work Hours and Safety Standards Act (40 USC 327-330) as supplemented.

If the contract exceeds \$10,000, Distributor is required to comply with Executive Order 11246, entitled "Equal Employment Opportunity," as amended by Executive Order 11375, and as supplemented in U.S. Department of Labor regulations (41 CFR Part 60). If the contract exceeds \$100,000, Distributor will be required to comply with Section 306 of the Clean Air Act (42 USC 1857(h)), Section 508 of the Clean Water Act (33 USC 1368), Executive Order 11738, and Environmental Protection Agency regulations (40 CFR Part 15), which prohibit the use of facilities included on the EPA List of Violating Facilities. Distributor shall report all violations to the grantor agency and to the USEPA Administrator for Enforcement (EN-329).

13. Force Majeure

The District will not be liable to pay contractor for any work that the contractor is unable to perform due to act of God, riot, war, civil unrest, flood, earthquake, outbreak of contagious disease or other cause beyond The District's reasonable control (including any mechanical, electronic, or communications failure, but excluding failure caused by a party's financial condition or negligence).

14. Indemnity

To the fullest extent permitted by law, the Prime Vendor agrees to indemnify, defend and hold harmless, The District, its agents, officers and employees, from and against all loss or expense, including related costs and reasonable attorney's fees by reason of liability for damages, including suits at law or in equity, caused by any wrongful, intentional or negligent acts or omissions of the Prime Vendor, or its agents which may arise out of or are connected with the activities covered by this contract.

In accordance with applicable laws, The District shall be responsible for defending and paying judgments on behalf of its officers, employees and agents for any claims that may arise out of The District's negligence for acts, policies, or directives that affect the activities covered by this contract.

15. Integration/Severability

This contract and its exhibits and addenda, if any, constitute the entire contract among the parties with respect to the subject matter hereof and supersede all prior proposals, negotiations, conversations, discussions and contracts among the parties concerning the subject matter hereof. No amendment or modification of any provision of this contract shall be effective unless the same shall be in writing and signed by both parties.

16. Termination of Agreement

In the event the Distributor defaults in any of the terms of this contract, and such default is not resolved within thirty (30) days after written notice of default, The District will have the right to terminate this contract. In addition, The District shall have the right to terminate this contract for any reason on written notice to Distributor given at least sixty (60) days before such termination.

The validity, construction, enforcement and effect of this contract shall be governed solely by the laws of the state of South Dakota. The state courts of South Dakota shall be the sole forum for all disputes arising of this contract.

IN WITNESS WHEREOF, the parties here to have executed this contract on the day, month and year first above written.

Prime Vendor (Performance Foodservice)

Deuel School District

Vendor Signature:

Authorized Signature:

Print Name:

Print Name:

Date: _____

Date: _____

Address: _____

Phone Number: _____



April 03, 2025

TO: Avera PACE School Affiliates (East)
FROM: Sergio Banuelos, Business Development Representative
SUBJECT: 2024-2025 Prairie Farms (Land O Lakes Milk)

Enclosed is the Avera PACE/ Prairie Farms(Land O Lakes Milk) School pricing. Also enclosed is the escalator clause on the pricing. **There is no firm bid being offered.** In some areas, your dairy will be delivered by a food distributor. If you are currently purchasing dairy products through an approved Avera PACE distributor, these prices on **Prairie Farms** milk are extended to them.

Please e-mail or fax 605-322-4666 this form, completely filled out, to: Sergio Banuelos at Sergio.banuelos@avera.org by Friday, June 30 to ensure you receive your 1st delivery on time and any equipment that might be needed is installed.

To: Sergio Banuelos at Avera PACE

_____Our School will accept the Avera PACE/Prairie Farms (Land O Lakes Milk) (East) pricing with the escalator clause for the school year 2024-2025.

_____Our school is declining.

Name of School _____

Address _____

Signature _____ Title _____

School start date _____ 1st Delivery Date _____

Contact Person _____ Telephone # _____
(for delivery arrangements)

DEUEL SCHOOL DISTRICT
#19-4
ELEMENTARY SCHOOL
PARENT/STUDENT
HANDBOOK



Clear Lake, South Dakota

Deuel School District
P.O. Box 770
410 5th St. W.
Clear Lake, SD 57226
Phone – 605-874-2161
Fax – 605-874-8585

Chad Schiernbeck, Superintendent
Chad.Schiernbeck@k12.sd.us

~~Amber Thomas~~, Middle School/High School Principal
~~Amber.Thomas@k12.sd.us~~

Todd Rahlf, Elementary Principal and
Athletic Director
Todd.Rahlf@k12.sd.us

Ellen Schmahl, Business Manager
Ellen.Schmahl@k12.sd.us

Nikki Berge, Assistant Business Manager
Ellen.Schmahl@k12.sd.us

Mission Statement:

Empower students to become independent learners, personally accountable, and responsible citizens.

Belief Statement:

Deuel School District Believes:

Everyone in the community contributes to the education of the children in our schools.

Therefore, we are committed to:

- * Personal responsibility and accountability.**
- * Respecting others and maintaining an open line of communication in the district.**
- * Providing opportunities and resources for individual success.**
- * Maintaining and communicating high academic and professional standards and expectations.**

ANNUAL NONDISCRIMINATION NOTIFICATION:

Deuel School District 19-4 Annual Public Notice Career and Technical Education

Deuel Schools Department of Career and Technical Education offers a variety of career and technical programs to all students at the middle school and high school levels. The program areas include the following.

- *Ag Food and Natural Resources*
- *Architecture and Construction*
- *Business, Management and Operation*
- *Information Technology*

Tech Prep opportunities are also available for students who are entering the workforce and/or post-secondary education through an articulation agreement with Lake Area Technical Institute. For more information about Career and Technical Education, call (605)874-2161.

The Deuel 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 Boys Scouts and other designated youth groups. The following person has been designated to handle inquiries regarding the non-discrimination policies:

*504 Coordinator-Chad Schiernbeck
PO Box 770, Clear Lake SD 57226
605-874-2161*

*Title IX Coordinator-~~Amber Thomas~~
PO Box 770, Clear Lake SD 57226
605-874-2161*

South Dakota Regional US Office for Civil Rights:

*Office for Civil Rights
U.S. Department of Education
One Petticoat Lane
1010 Walnut Street, 3rd floor, Suite 320
Kansas City, MO 64106*

*Telephone: 816-268-0550
FAX: 816-268-0599; TDD: 800-877-8339
Email: OCR.KansasCity@ed.gov*

Dear Parents and Students,

We welcome you to Deuel Elementary for the 2024-2025 school year. Our wish is that we all share a year of outstanding successes and that we might work together to provide a quality educational environment.

It is our desire that each student avail himself/herself of all possible opportunities for personal growth and fulfillment.

It is your responsibility to become familiar with the material in this handbook. Have a great year.

Mr. Todd Rahlf
Elementary Principal

ELEMENTARY TEACHING STAFF

Preschool	~~Tawnya Dahl~~ – ~~Tawnya.Dahl@k12.sd.us~~ Eda Timmons - Eda.Timmons@k12.sd.us
Junior Kindergarten	Jennifer VonEye – Jennifer.VonEye@k12.sd.us
Kindergarten	Sandi Block – Sandi.Block@k12.sd.us
Kindergarten	Sarah Hagberg – Sarah.Hagberg@k12.sd.us
1 st Grade	Hannah Swenson – Hannah.Swenson@k12.sd.us
1 st Grade	Lynn Kindopp – Lynn.Kindopp@k12.sd.us
2 nd Grade	Danielle Schiernbeck – Danielle.Schiernbeck@k12.sd.us
2 nd Grade	Lynn Stoltenburg – Lynn.Stoltenburg@k12.sd.us
3 rd Grade	Shayla Engen – Shayla.Engen@k12.sd.us
3 rd Grade	Elizabeth DeBoer - Elizabeth.Deboer@k12.sd.us
4 th Grade	Jayda Templeton - Jayda.Templeton@k12.sd.us
4 th Grade	Kara Zaug – Kara.Zaug@k12.sd.us
5 th Grade	Bonnie TeKrony – Bonnie.TeKrony@k12.sd.us
5 th Grade	Jon Peterreins - Jonathen.Peterreins@k12.sd.us
Special Education	Lindsay Gratz - Lindsay.Gratz@k12.sd.us
Special Education	Rhonda Young - Rhonda.Young@k12.sd.us
Special Education	Hannah Lunden – Hannah.Lunden@k12.sd.us
Art	Brooke Hockett - Brooke.Hockett@k12.sd.us
Music	Doug Dyk – Doug.Dyk@k12.sd.us
Physical Education	Lynn Gudmundson - Lynn.Gudmundson@k12.sd.us
Physical Education	Kris Ulmer - Kristopher.Ulmer@k12.sd.us
5 th Grade Band	~~Alyssa Cassels~~ – ~~Alyssa.Cassels@k12.sd.us~~
Technology Director	Mike Gohring - Michael.Gohring@k12.sd.us
Guidance	Jessica Folk – Jessica.Folk@k12.sd.us
MS/HS Guidance	Amanda Hillesheim - Amanda.Hillesheim@k12.sd.us

ELEMENTARY STUDENT HANDBOOK

GRADES PK – 5

PURPOSE

The primary objective of this handbook is to help students develop positive attitudes toward the school as well as to provide information in a clear, concise manner for students and parents. It is not intended to be a comprehensive set of rules for every situation and in no way restricts the faculty and the administration.

SCHOOL DAY

The school day begins at 8:10 a.m. and ends at 3:40 p.m. Breakfast will be served starting at 7:45 a.m. Students arriving to school before 8:00 a.m. must enter the north gymnasium door and must remain in the designated area until 8:00am. Students that are absent for more than one (1) hour will be counted absent for ½ day. Tardies will be handled on a case-by-case basis. If necessary, parents will be notified.

MORNING DROP OFF AND AFTER SCHOOL PICK UP

Morning Vehicle Drop off will be on the north side of the school at the gym entrance (old bus drop). Please travel eastbound and pull to the curb to drop off your child. Do not drop kids from the west bound lane to avoid students crossing traffic. The gym doors will open at 7:45

After School Vehicle Pick Up will be on the west side of the school (old bus pickup). Please pull along the curb in a northbound position. We will have this entire curb to the north road, so please utilize this space without double parking. This should be a continual flow of traffic. Younger students will be the first ones out for the day. Upper elementary and MS students will be the final groups out. If you are in the front and waiting on students, please pull around the block and get back in line.

School Bus drop off and pickup: will be held in the semi-circle outside of the new south entrance (lunchroom entrance).

BIRTH CERTIFICATES:

The State Law requires that every child who enters a school for the first time must present a certified copy of his/her birth certificate. The 1988 legislature passed Senate Bill 2 which requires a certified copy of a birth certificate for the initial enrollment or excuse from school.

EXTRA-HELP FRIDAYS (Elementary)

The Deuel School District will hold extra-help sessions on Fridays from 10am-12pm in which regular school classes are not in session. The extra-help sessions are designed to help students gain success in academic programs and have an opportunity to have 1 to 1 time or small group time with classroom instructors. The elementary teachers will identify students that would benefit from spending some extra work time on Fridays. Teachers will notify the parents in a timely manner, to check to see if they can attend. The district strongly encourages taking full advantage of this service if a child is identified. Parents may contact the teachers to inquire if this opportunity is appropriate for their child.

POSITIVE PLAYGROUND RULES

The Deuel Elementary grades will be implementing a positive behavior program. It is our hope to recognize the students for their positive accomplishments and behavior. Students who feel good about themselves will learn more, will treat others appropriately, and will display responsible behavior. Positive student behavior needs to be recognized. These students will be recognized for their positive behavior by verbal praises and encouragement, positive notes, periodic class privileges, etc. The emphasis of the student behavior program is recognition of positive behavior. It is our hope that the behavior program will provide for efficient classroom management, respect from the peers and adults, and respect for the Deuel Elementary School. The program encourages the use of logical and natural consequences for inappropriate behavior at school.

The children are encouraged to remember: (1) I cause my own outcomes; (2) I have more than one choice; and (3) I have the power to pick the best choice. The following rules will be expected in an attempt to establish a consistent discipline program for the students.

PLAYGROUND RULES

- a. Listen to and obey the playground supervisor.
- b. Keep your hands, feet, and other objects to yourself. No fighting, throwing objects, pushing, tackling, or wrestling.
- c. Touch football will be permitted.
- d. Use playground equipment properly.
- e. Stop play and line up when the bell/whistle/voice is sounded.
- f. Inappropriate language is not acceptable.
- ~~g. Trees, bushes, building, and tennis courts are not part of the playground.~~

LUNCHROOM RULES

- a. The students will obey and respect lunchroom supervisors.
- b. Keep your hands, feet, and other objects to yourself. No fighting, pushing, tripping, hitting, or throwing objects.
- c. The students will be dismissed from the table when all food and paper is picked up from around and under the table and the entire table is quiet.

MEALTIME VISITORS

Parents and adults must purchase or bring a lunch if they wish to eat lunch with their student. You must contact the office at least one day prior to eating with your student.

HALLWAY RULES

- a. Keep your hands, feet, and other objects to yourself. No fighting, pushing, tripping, hitting or throwing objects.
- b. The students will walk quietly and orderly (no running).

BATHROOM RULES

- a. Keep hands, feet, and other objects to yourself. No fighting, pushing, tripping, hitting, or throwing objects.
- b. The students will use the bathroom equipment properly.
- c. The students will use a quiet voice while in the bathroom.

CLASSROOM RULES

- a. Student behavior in the classroom is expected to be the same as indicated above.

Realizing that discipline is essential to the normal operation of the school, any or all the following steps may be taken to help students who have demonstrated misbehavior:

1. Counseling
2. Parental Conference
3. Contracts
4. Detention
5. Suspension from class
6. In-school suspension
7. Out-of-school suspension
8. Expulsion

Understand that steps taken will depend on the nature of misbehavior, a student's past record, and more importantly, the school official's opinion as to what is necessary to ensure appropriate behavior by this particular student.

BULLYING & HARASSMENT

The District is committed to maintaining a constructive, safe, and bullying-free school climate that is conducive to all students' educational opportunities and which fosters an environment in which all students are treated with respect and dignity. Bullying can inhibit a student's educational opportunities and may also have long-term negative effects on a student. Bullying of students shall not be tolerated and is strictly prohibited. Bullying of students from other schools who are at a District activity, parents,

school employees, guests, visitors, volunteers and vendors of the District shall also not be tolerated and is strictly prohibited.

This policy shall not be interpreted or applied to prohibit civil exchange of opinions or debate protected under the state or federal constitutions if the opinion expressed does not otherwise materially or substantially disrupt the education process or intrude upon the rights of others. However, conduct which substantially interferes with the work of the school, causes material and substantial interference with school work and discipline, and might reasonably have led school authorities to forecast substantial disruption of or material interference with school activities is not constitutionally protected speech and is therefore prohibited under this policy.

All students, parents, employees, guests, visitors, volunteers and vendors shall conduct themselves in a civil and responsible manner and in a manner consistent with school policies related to student, parent, employee and visitor conduct. This policy prohibiting bullying shall apply to all students, parents, employees, guests, visitors, volunteers and vendors while on school property, while attending or participating in school activities, on school-owned property or on non-school property, while in any school-owned or leased vehicle, while at a school bus stop, or when in a private vehicle located on school property during school or during school activities..

The District shall investigate all reported instances involving bullying. Unless a different person is designated by the Superintendent to conduct the investigation, the Principal of the school attendance center where the bullying is alleged to have occurred is responsible for investigating the alleged bullying. Allegations of bullying may also be reported by the administration to other authorities, including but not limited to law enforcement.

Students who violate this policy shall be subject to appropriate disciplinary action, up to and including expulsion. Employees who violate this policy shall be subject to appropriate disciplinary action, up to and including termination of employment. Parents, guests, visitors, volunteers, and vendors who violate this policy may be prohibited from being on school property.

Pursuant to state law:

- A. any school district employee, school volunteer, student, or parent who promptly reports in good faith an act of bullying to the appropriate school district official as designated in the school district's policy, and who makes the report in compliance with the provisions of the school district's policy, is immune from any cause of action for damages arising from failure to remedy the reported incident, and
- B. no cause of action is created against the school district, school district employee, school volunteer, student, or parent unless there has been substantial noncompliance with the school district's policy which results in injury to a person.

The District will maintain confidentiality to the maximum extent possible under the circumstances. However, a person reporting bullying conduct must understand that should the administrator who is investigating the report determine there is reasonable cause to suspect that bullying did occur which could result in administrative discipline or a referral to the School Board, the person alleged to have abused the other person may have the right to know the identity of the person(s) making the report in order that he/ she may have an opportunity to defend himself/herself.

The District strictly prohibits retaliation against any person because he or she has made a report, testified, assisted, or participated in the investigation of a report of alleged bullying. Retaliation includes, but is not limited to, any form of verbal or physical reprisal or adverse pressure. The person(s) alleged to have bullied another person shall not directly or indirectly (such as through another person) harass, pressure, or retaliate against any other person because of the complaint being reported. A violation of this provision may lead to separate disciplinary action based on the retaliation. Any person who believes he or she is being subjected to retaliation because of his or her involvement with a bullying report should immediately contact a school administrator.

Complaints against school employees and complaints related to Sexual Harassment are addressed through other school district policies and not through this policy.

SECTION 2 – Bullying Defined

- A. Bullying is an intentional isolated act or pattern of repeated conduct toward another person that is sufficiently severe and offensive to a reasonable person, and
 1. Has the purpose or effect of creating an intimidating, hostile or offensive school environment for one or more students, parents, employees, guests, visitors, volunteers or vendors, and/or
 2. Has the purpose or effect of substantially or unreasonably interfering with a student’s educational opportunities (i.e., academic, co-curricular activities, extra-curricular activities, and social opportunities, etc. within the school environment), employee’s and volunteer’s work environment or performance, or access by parents, guests, visitors or vendors, and/or
 3. Places a person in reasonable fear of harm to his or her person or damage to his or her property, and/or
 4. Causes physical hurt or psychological distress to a person, and/or
 5. Constitutes retaliation against any person for asserting or alleging an act of bullying, and/or
 6. Disrupts the orderly operation of a school.
- B. Bullying conduct includes threats, intimidation, physical violence, theft, destruction of property, hazing, stalking (SDCL 22-19A-1), harassment (SDCL 22-19A-4), and threatening or harassing contact by telephone or other communication devices, commonly referred to as cyberbullying (SDCL 49-31-31). Neither the physical location nor the time of day of any incident involving the use of computers or other electronic devices is a defense to any disciplinary action taken by the School District for conduct determined to meet the definition of bullying in SDCL 13-32-15.
 1. Hazing defined: any verbal or physical act or acts done on school property or at a school activity which directed toward another person and done for the purpose of initiation into any group, regardless of whether the group is a school sanctioned organization, when the act or acts causes or may create a reasonable risk of causing mental, emotional or physical harm to the person who is the recipient of the act or acts.
 2. Stalking defined: willfully, maliciously, and repeatedly following or harassing another person; making a credible threat to another person with the intent to place that person in reasonable fear of death or great bodily injury; or willfully, maliciously, and repeatedly harassing another person by means of any verbal, electronic, digital media, mechanical, telegraphic, or written communication.

3. Harass defined: a knowing and willful course of conduct directed at a specific person which seriously alarms, annoys, or harasses the person, and which serves no legitimate purpose.
4. Threatening or harassing contacts by telephone or other electronic communication device defined: using or knowingly permitting a telephone or other electronic communication device under his or her control for any of the following purposes:
 - (1) To contact another person with intent to terrorize, intimidate, threaten, harass or annoy such person by using obscene or lewd language or by suggesting a lewd or lascivious act,
 - (2) To contact another person with intent to threaten to inflict physical harm or injury to any person or property,
 - (3) To contact another person with intent to extort money or other things of value,
 - (4) To contact another person with intent to disturb that person by repeated anonymous telephone calls or intentionally failing to replace the receiver or disengage the telephone connection.

SECTION 3 – Reporting Procedure

Any individual who believes that he or she has been or is being subjected to bullying or has reason to suspect another person has been or is being subjected to bullying should immediately report it to a teacher or school administrator. The report may be made verbally or in writing. A report may be made anonymously, although disciplinary action may not be based solely on an anonymous report. If disciplinary action is being requested, the individual reporting the bullying will be asked to either submit a signed written complaint or sign a completed Bullying Report Form, Exhibit JFCD-E(1), verifying the accuracy of its content. The written complaint or Bullying Report Form must include the following:

- the date the written complaint was filed or the Bullying Report Form was completed,
- the school employee receiving the complaint (if applicable),
- the name of the person reporting the bullying
- the address/phone # of the person reporting the bullying,
- the specific conduct or nature of the bullying complaint including the person(s) alleged to have bullied the complaining party or another person, the date(s) and location where the conduct occurred, witnesses, etc.,
- the date the school employee completed the form (if applicable)
- the date and signature of the person reporting the bullying.

If the signed written complaint was given to a teacher, or if the Bullying Report Form was completed by a teacher, the teacher shall forward the complaint or Bullying Report Form to the teacher's building principal.

SECTION 4 – Procedure for Addressing Bullying Complaints

STEP 1: Principal.

Should there be a report which alleges a District student, parent, employee, guest, visitor, volunteer or vendor has been subjected to bullying, an investigation into the alleged bullying will be initiated. The District's investigation may include, but is not limited to, such things as interviewing individuals with actual or possible knowledge regarding the conduct in question, identifying facts related to the conduct in question,

identifying when and over what period of time the conduct is to have occurred, determining whether the conduct negatively affects the educational opportunities or employment condition of the victim, identifying prior history of a similar nature by any of the individuals involved, and attempting to obtain possible verification from other persons. The investigation shall be conducted promptly and completed in a reasonable time frame given the nature of the complaint.

The person alleged to have bullied another person will be notified that a complaint has been filed pursuant to this policy and that the complaint is being investigated. The name of the person making the complaint will not be disclosed to the person alleged to have violated this policy unless and until the investigation results in a determination that there is reasonable cause to suspect that bullying did occur.

Upon reasonable suspicion by the school administrator responsible for the investigation that the allegation of bullying may be true, the employee, student or other person accused of bullying conduct shall be notified in writing that reasonable suspicion exists that the complaint may be valid, including a statement of the facts supporting the determination that reasonable suspicion exists, and the name of the alleged victim.

The person alleged to have bullied another person in violation of this policy shall be afforded an opportunity to respond to the allegation of bullying but is not required to submit a response.

Pending the outcome of the investigation the school administrator responsible for conducting the investigation may take such action consistent with school policy and state law as deemed appropriate in order to facilitate the investigation and protect the rights of all persons involved. If there is reasonable suspicion to believe that a person bullied another person while at school or at a school activity on non-school property in violation of this policy, the administration may prohibit that person from being on school property or at school activities.

At the conclusion of the investigation, the Principal shall make a determination as to whether bullying did occur or whether the facts are insufficient to determine that a determination that bullying occurred. The complainant and the person alleged to have bullied another person will receive written notice of the Principal's determination. Should the Principal conclude that bullying did occur, the Principal shall take such action as deemed appropriate, which may include imposing disciplinary consequences on the person found to have violated this policy prohibiting bullying.

STEP 2: Appeal to the Superintendent

The following procedure shall be used to address an appeal of the Principal's decision in Step 1 to the Superintendent:

1. If either party is not satisfied with the Principal's decision, or if the Principal does not render a written decision within fourteen (14) calendar days of the request for a decision on the merits of the complaint, that party may appeal to the Superintendent by filing form JFCD-E(2). The appeal must be filed

- within ten (10) calendar days of receipt of the Principal's written decision, or ten (10) days of the deadline for the Principal's written decision, whichever comes first. The appealing party must attach the Principal's written decision.
2. Within fourteen (14) calendar days from the date the appeal was filed, the Superintendent shall render a decision in writing. All parties shall receive copies of the decision. The Superintendent shall uphold, reverse, modify the principal's decision, or the Superintendent may refer the matter back to the Principal for further investigation and supplemental decision which decision may restate, modify or reverse the Principal's initial decision. A supplemental decision by the Principal after a referral back to the Principal is subject to appeal to the Superintendent. The time frame for rendering a decision by the Superintendent may be extended by the Superintendent for good cause and upon written notification to all parties, which notification shall identify the reason for the extension and the date on or before which the decision shall be rendered.

STEP 3: Appeal to the Board

If either party is not satisfied with the Superintendent's decision, or if the Superintendent does not render a written decision within fourteen (14) calendar days of the receipt of the appeal, that party may appeal to the School Board by filing with the Business Manager using Form JFCD-E(3) within ten (10) calendar days of receipt of the Superintendent's written decision, or ten (10) days of the deadline for the Superintendent's written decision, whichever comes first. The appeal shall be in writing and the appealing party must attach to the appeal the Principal's written decision, the appeal to the Superintendent, and the Superintendent's written decision or notice of the Superintendent's failure to render a written decision.

The following procedure shall be used by the Board to address an appeal of the Superintendent's decision on the merits related to a bullying complaint:

1. Upon receipt by the Board President/Chairperson of an appeal by the Complainant, a copy of the appeal shall be given to the person alleged to have violated the bullying policy.
2. Upon receipt of an appeal, the Board shall at its next meeting schedule a date, time and location for the appeal hearing.
3. The following procedure shall be applicable at the appeal hearing before the Board:
 - A. The Board shall appoint a board member or a person who is not an employee of the school district as the hearing officer;
 - B. Within thirty (30) calendar days of an appeal being filed with the Board, the Board shall conduct a hearing in executive session;
 - C. The Complainant, person alleged to have violated the bullying policy, and Superintendent each have the right to be represented at the hearing;
 - D. The Board shall make a verbatim record of the hearing by means of an electronic or mechanical device or by court reporter. This record and any exhibits must be sealed and must remain with the hearing officer until the appeal process has been completed;
 - E. The issue on appeal is whether the Superintendent's decision should be upheld, reversed or modified;

- F. All parties shall be given the opportunity to make an opening statement, with the appealing party being given the first opportunity, followed by the other party, and then the Superintendent;
- G. The appealing party shall present his or her case first, and the other party 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 board members may ask questions of any witness;
- H. The Superintendent shall present the basis of his/her decision which led to the appeal. Both parties shall have the opportunity to ask the Superintendent questions. The hearing officer and board members may also ask questions of the Superintendent;
- I. 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, hearing officer or other person authorized by law to take oaths and affirmations;
- J. 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).
- K. All parties shall be given the opportunity to make a closing statement, with the appealing party having the first opportunity, followed by the other party, and then the Superintendent. The appealing party shall be given the opportunity for a brief rebuttal;
- L. After the evidentiary hearing, the Board shall continue to meet in executive session for deliberations. No one other than the hearing officer may meet with the Board during deliberations. The Board may seek advice during deliberation from an attorney who has not represented any of the parties to the hearing. Consultation with any other person during deliberation may occur only if a representative of both parties 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; within twenty (20) calendar days of the hearing, the 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 both parties and the Superintendent, and the notification shall identify the reason for the extension and the date on or before which the decision shall be rendered;
- M. 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 convene in open session and a motion to uphold, reverse, or modify the Superintendent's decision shall be made and voted upon. Findings of Fact, Conclusions of Law and Decision, consistent with the Board motion shall be in writing and approved by the Board. Both parties, the Principal and the Superintendent will receive copies after the Findings of Fact, Conclusions of Law and Decision are approved by the Board.

- N. Following the Board hearing, should the Board determine there has been a violation of this policy prohibiting bullying, Board action may include but is not limited to the following: (1) suspend or expel a student from any or all school programs, including but not limited to classes, extracurricular activities, or attendance at school activities; (2) pursuant to statute, reprimand, suspend without pay, or terminate the contract of an employee, or (3) prohibit a person from being on school property or at school activities for such time as may be determined by the Board.
- O. If either party is dissatisfied with the Board's decision, that party may appeal the decision by filing an appeal to circuit court pursuant to SDCL 13-46-1.

TELEPHONE

Students will not use the office phone for personal calls except in an emergency and with teacher permission. Phone calls for students will be handled with a message. Emergency calls will be handled by the principal, principal's office, or the teacher in charge.

FIRE AND TORNADO DRILLS

When the fire bell sounds, all students and staff members are to leave the building quickly and quietly by the route posted in each room. When the tornado drill signal is given, all students and staff are to go to their designated area and assume the instructed position. Fire and tornado drills are to be posted in each room.

ABSENCE AND ATTENDANCE POLICY (Elementary)

Regular attendance is essential to a student's success in school. Scholastic achievement is often directly related to attendance, so it is vital that students attend regularly. South Dakota Law gives the responsibility for regular attendance to students and parents. Parental support of regular attendance is expected. **Parent, or person responsible for them, must sign them out in the elementary office before leaving.**

Parents are asked to call the school before 9:00 am each day that a student is absent. If parents do not call, the school will attempt to contact the parent. If the school cannot reach the parent during the day of absence, the absence will be unexcused. Students who arrive at class fifteen or more minutes late will be counted absent unexcused for that class period. Parents who are taking their child on an extended trip must call before leaving to excuse their child for the duration of the trip. Students must check out at the elementary office when leaving during the day or the absence will be unexcused.

Completion of missed work is the responsibility of the student. The student will have two full days for each full day of excused absence, maximum of six full days, to complete work missed unless arrangements have been made with the

individual classroom instructor. Please note that Fridays count as one of the six days providing staff are in session.

GUIDELINES FOR EXCUSED AND UNEXCUSED ABSENCES

School officials have the final decision in all situations.

Exempt Absences – DO NOT COUNT AGAINST STUDENT ATTENDANCE:

School-sponsored activities (school sports, school activities)

Doctor/Dentist Appointments verified by a doctor's office note

Funerals/Religious Observations

Court Appointment

Excused Absences – WILL COUNT AGAINST STUDENT ATTENDANCE

Parent Request

Personal Illness or accident

Weather Related absences

Suspension from School

Death, serious illness, or injury within the immediate family/household/close friends

Family Vacations for Multiple Days (Will count as 1 absence if the school is notified in advance and the necessary work is completed before trip)

Other compelling situations which are approved by the administration

Unexcused Absences – WILL COUNT AGAINST STUDENT ATTENDANCE

Absences without permission from parent, guardian, or school official

Examples of absences which may not be excused by school officials unless there are extenuating circumstances include, but are not limited to:

Oversleeping

Missing class to prepare for another class or activity

Failure to check out in the office before leaving during the school day

CONSEQUENCES FOR EXCESSIVE ABSENCES

School Consequences

7 Excused and/or Unexcused Absences: Notification to parents of attendance policy.

10 Excused and/or Unexcused Absences: Notification to parents when students have missed 10 times in one or more classes.

12 Excused and/or Unexcused Absences: If student has missed 12 or more days within a semester of school, the School Resource Officer may/will write a truancy ticket for excessive absences.

TEMPORARY EXCLUSION RECOMENDATIONS FOR ILLNESS IN THE SCHOOL SETTING.

- A. Chicken pox (Varicella): exclude until all lesions have dried and crusted or, in immunized children without crusts, until no new lesions appear within a 24-hour period.
- B. COVID-19: exclude based on current CDC and SD Department of Health guidance, see doh.sd.gov.
- C. Diarrheal diseases: exclude while symptomatic only if person is unable to practice independent hygiene.
- D. Haemophilus influenzae type B, invasive (Hib): exclude until after the child has been cleared by a physician.
- E. HIV, Hepatitis B, Hepatitis C, and other bloodborne diseases: generally no exclusion; considerations may exist if there is potential for bloodborne exposure. Consult healthcare provider for guidance.
- F. Hepatitis A: exclude until one week after onset of illness.
- G. Influenza and Influenza-like illness: exclude until fever has been absent for 24 hours in an unmedicated state. Additional exclusions may be necessary for documented novel strain or pandemic influenza based on SD Department of Health and CDC guidance.
- H. Measles: exclude until four days after onset of rash.
- I. Meningococcal disease (Neisseria meningitidis): exclude until after 24 hours of antibiotic treatment.

- J. Methicillin-resistant *Staphylococcus aureus* (MRSA): exclude only if confirmed MRSA is present from a wound in which drainage is occurring and cannot be covered and contained.
- K. Mumps: exclude until five days after the onset of parotid gland swelling.
- L. Pertussis (Whooping cough): exclude until completion of 5 days of appropriate antibiotic treatment. If appropriate antibiotic treatment is not received, exclude until 21 days after onset of cough.
- M. Hand Foot and Mouth: The child should stay home from school or childcare until he or she has no fever for 24 hours and the mouth sores and open blisters have healed. Sores on the palms of the hands and soles of the feet rarely blister. Children can be in school/daycare with those sores as they may take weeks to resolve. However, if the child has blisters, anywhere on the body, the blisters need to be healing and crusted over before returning to school/daycare.
- N. Pink eye, head lice, ringworm, herpes gladiatorum, molluscum contagiosum, and skin rashes without fever: generally no exclusion; special considerations may exist. Consult healthcare provider for guidance.
 - a. Pink Eye:
 - i. Bacterial: Thick, sticky, white/yellowish discharge from eye(s). Child needs to be seen in the clinic. Child has to be on antibiotic drops for 24 hours before returning to school.
 - ii. Viral: watery red eyes. Child can be in school as long as they don't have a fever and are feeling well otherwise.
 - iii. Allergic: no need to stay home from school.
 - b. Ringworm:
 - i. Children with ringworm can return to school the day they start treatment for ringworm. If it is on the scalp, they need to remain out of school for 24 hours after treatment has been started. Any child with ringworm should not participate in gym or other close contact activities that are likely to expose others until 72 hours after treatment has begun or until lesions can be completely covered.
 - c. Head Lice:

Based on the recommendations of the National Association of School Nurses, the American Academy of Pediatrics, the Centers for Disease Control, and the State Department of Health the following are guidelines for managing head lice in the school setting:

- i. Teachers and/or parents may request that a student be checked for lice, based on excessive head scratching, student report of a “crawling” feeling, or observation of suspected lice and/or eggs.
- ii. The student should be screened by the school nurse
- iii. Students with live lice should be allowed to remain in the classroom until the end of the day but should be discouraged from close head to head contact with other students.
- iv. In some situations students may be sent home. Sending a student home is determined on an individual basis. Common sense should prevail when deciding how contagious an individual child may be (a child with hundreds of live lice vs. a child with 2 live lice).
- v. Parent/guardian should be informed of the findings either by phone or note. Information on head lice and treatment should be provided to the parent/guardian. It is expected that parent/guardian will treat the child before sending them back to school. Head Lice Information can be found on the District website under Health Services.
- vi. The student may return to school the next day. The nurse or designated staff will determine if a student has been treated based on parent/guardian report and visual inspection.
- vii. Non-compliant cases require the use of good nursing judgment that does not punish the child.
- viii. Classroom checks and letters informing parents of head lice may be done in the case of an outbreak and at the discretion of the school nurse.
- ix. The school nurse is the best person to provide education and guidance for head lice management.

O. Rubella: exclude until seven days after onset of rash.

P. Scabies: exclude until after treatment has started.

Q. Shingles (Herpes zoster): generally no exclusion if lesions can be covered. If lesions cannot be covered, exclude until rash or lesions have crusted over.

R. Strep throat and Streptococcal skin infections: exclude until after 12 hours of antibiotic treatment.

S. Tuberculosis: exclude until a physician, concurring with the SD Department of Health, states the child is not infectious.

With any illness, students must be fever free for 24 hours in an unmedicated state before returning to school.

PETS:

The school district tries very hard to keep student bodies safe. After consulting with professionals certified in public and food safety, pets are not allowed in school.

RECESS

If a child is to stay in from recess for any medical reason, a written note from the doctor is needed.

NO SCHOOL ANNOUNCEMENT

If school is not being held because of severe weather conditions the no school announcement or early dismissal will be made using:

- a. A ~~ITC~~ **campus** notify statement will be sent to all district stakeholders. This will be delivered in a text message, phone call or an e-mail.
- b. Post will be created on the school website
- c. Post will also be made using the school Facebook page.
- d. Major Network affiliates will be notified prior to schools being closed.

Parents also have the option to sign up for the school messaging system. This system notifies parents of school closings/late starts via e-mail or through your home telephone. Contact the Business Office for more information.

PRINTED MATERIAL

Material such as magazines and posters will not be distributed in school by non-district employees without permission from the principal. Deuel School District will not tolerate obscene materials or any materials that advocate sex, drugs, violence, etc.

DRESS CODE/PERSONAL HYGEINE

The Board recognizes that it is the prerogative of parents to determine what is appropriate dress and grooming for their children in accordance with the age and grade of these students. It is hoped that decisions made by parents and students in these matters will reflect favorably upon the individual, the school, and the community.

There are certain restrictions necessary on a student's dress and grooming when such dress and grooming may create a health or safety hazard; invade the rights of others; or, be disruptive to the educational environment by detracting from the decency and decorum in school. It will be the responsibility of the building principal to determine violations of the intent to this policy and to take necessary corrective action.

DISRUPTION OF SCHOOL

Any student removed from a class may be sent to the principal's office.

PROHIBITED MATERIALS

The following materials are prohibited at Deuel School and will be handled according to policy:

1. Drugs (unless prescribed by a physician)
2. Alcohol
3. Pornographic materials
4. Tobacco products
5. Firearms
6. Any other weapons that have the express purpose of causing injury.

DRUG AND ALCOHOL ABUSE

Any student who intentionally sells, gives, possesses, uses, or is under the influence of illicit drugs, narcotics, or alcohol in or on school property, including school buses, shall be 1) held in in-school suspension and 2) reported to the appropriate law enforcement agencies for possible legal action.

TOBACCO PRODUCTS

The Deuel School District recognizes its duty to promote the health and safety of students, staff and citizens on district property and during school-sponsored activities. In accordance with this responsibility, it is the intent of the School Board to establish a tobacco-free school environment that demonstrates a commitment to helping students resist tobacco use and that emphasizes the importance of adult role modeling.

The use, possession, or promotion of tobacco on school property by students, employees, vendors, visitors and invitees is prohibited. Students and employees are also prohibited from using or promoting tobacco at school-sponsored activities off school property. Students participating in school activities are also subject to such rules as may exist pursuant to an applicable activity code of conduct.

For the purposes of this policy:

1. "Tobacco" means any substance or item, in any form, containing tobacco and electronic nicotine delivery devices (e-cigarettes), which may not contain tobacco;
2. "School property" means all district-owned, rented or leased buildings, grounds and vehicles;

3. “School-sponsored activity” means any planned, organized, endorsed, or supervised activity involving district students or staff that occurs either before, during or after regular school hours;
4. “Promotion” means the use or display of tobacco-related clothing, bags, lighters, or other material that is designed to encourage the acceptance or use of tobacco.

District employees in violation of this policy will be subject to disciplinary action. Visitors, vendors and invitees in violation of this policy will be subject to appropriate consequences, which may include being directed to leave school property.

The superintendent shall provide reasonable public notification of the district’s policy within student and staff handbooks.

DAMAGE TO SCHOOL PROPERTY

Any intentional damage to school property will result in disciplinary action plus restitution to cover the cost of the damages.

BOOK FINES

Students will be assessed a fine to be determined by the principal for damage to schoolbooks. The fine shall not exceed the replacement cost of the book.

CELL PHONES

Students are to keep all devices in their locker during the day and are not to be used in the hallway or playground. All electronic communication device policies are handled by the classroom teacher, and individual classroom rules will apply. Students who use the electronic communication devices improperly are subject to having them confiscated by teachers and/or administration.

VISITORS

Please use the elementary school entrance when visiting the school. Entrances will always remain locked for security purposes. All visitors will be required to check into the office when entering the school. The office will provide the visitor with a badge if they must be in the hallways or a classroom.

~~All visitors must report to the office. Student visitors are welcome to visit our school with prior notice but should limit their visit to not more than ½ day.~~

ACTIVITIES

There will be opportunities for our elementary students to participate in volunteer operated activities. The students are reminded that they represent Deuel School District and, if any discipline problems, etc. occur, they will be handled according to District policy.

MEDICATION

The safe and effective use of medications for the treatment of illness and disability has enabled many children to attend school. At Deuel School, every effort should be made to administer all medications at home. When it is necessary that students receive medications at school, arrangements need to be made with the school nurse in advance.

For students in grades PK-5, medication administration will be supervised. Because the law requires the nurse to have an order from a physician in order to administer medications (including over-the-counter medications, such as Tylenol), it is important for students and parents to plan ahead when medication at school is anticipated. For example, arranging medication needs in advance, for conditions such as migraine headaches or menstrual pain, will help the school nurse keep students safe and comfortable at school.

~~HEAD LICE POLICY~~

~~Deuel School District and the school health office have established a NO NIT policy regarding the continued presence of lice eggs and school attendance. While proper treatment with shampoo (prescription or over the counter variety) is very important, it is not always effective in killing all the existing lice nits, therefore, removal of EVERY NIT is required. This can be a very time-consuming process, but it is essential. It is recommended that several inspections of your child's hair be made under a bright light, followed by manual removal of the nits and/or use of the fine-tooth comb provided in the shampoo kit. In addition, all personal items, but not limited to, combs, brushes, clothing and bedding must be properly cleaned. Before the student can resume attending school, the School Nurse must verify that all nits have been removed. NO EXCEPTIONS WILL BE MADE.~~

CUSTODY

If there is a custody situation that the school should be aware of, please call the principal's office to make the principal aware of it. For the children's safety, the principal must have a certified copy of all custody orders and restraining orders.

LOCKERS

All lockers are loaned to students and the school retains control of the lockers. Since the school retains control of the lockers, they may be inspected at any time.

GRADING (K-3)

- Standards based grade reports. Each standard is measured from the following indicators.

4 - Proficient - I can show that I understand grade level work consistently on my own.

3 - Approaching Proficiency - I can show that I understand grade level work most of the time, but I still might make mistakes.

2 - Beginning Progress - I am beginning to understand grade level work with help from my teacher.

1 - Of Concern - I do not understand grade level work.

GRADING (4-5)

- Standards based grade reports. Each standard is measured from the following indicators.
 - A
 - B
 - C
 - D
 - F

STUDENT POLICY FOR A GUN-FREE SCHOOL

Student and employee safety is a paramount concern to the Deuel School Board. With this in mind, the school board shall assist and cooperate with teachers and administration in the government and discipline of the school. The board may suspend or expel from school any student for violation of rules, policies, insubordination, or misconduct and administration may temporarily suspend any student in accordance with SDCL 13-32-42. The rules on policies may include prohibiting the following:

- (1) The use or possession of a firearm, as provided in SDCL 13-32-7, on or in any elementary or secondary school premises, vehicle or building that is owned, leased, or used for elementary or secondary functions or activities.

The Gun-Free Schools Act of 1994 (GFSA) requires that schools:

- (1) Comply with the State law requiring a one (1) year expulsion; this is, subject to the case by case exception, any student who brings a weapon to school must be expelled for not less than one (1) year.
- (2) Provide assurance of compliance to the State Education Association (SEA).

- (3) Provide descriptive information to the State Education Association concerning the expulsion.
- (4) Have a referral policy for students who bring weapons to school.

Therefore, if a student has intentionally brought a firearm onto school premises, vehicle, or building that is owned, leased, or used for school functions or activities, the following plan will be implemented.

(1) Students are entitled to due process:

A. If, after due process has been accorded, a student is found to have brought a weapon to school the GFSA requires expulsion for a period of not less than one (1) year.

B. The school administration may modify the one (1) year expulsion requirement on a case by case basis.

(2) Send a report to the SEA that includes the following:

A. Number of students expelled

B. The type of weapon involved.

(3) A written report to the local law enforcement of the incident. The report must include name, date, and type of weapon.

(4) Alternative educational services will only be provided if federal or state laws require the service.

The school district will allow usage of facilities for hunter safety courses. A properly certified instructor must teach the class.

STUDENT INTERVIEW POLICY POLICE/DEPARTMENT OF SOCIAL SERVICES

When students are at school or involved in a school activity off school grounds, the school has an obligation to the students, the parents, as well as to the authorities, such as law enforcement and the Department of Social Services. This policy attempts to balance the rights of students and parents with the rights and responsibilities of law enforcement and the Department of Social Services as those entities investigate juvenile delinquency/criminal matters and matters of child abuse and neglect. It is therefore the policy of the District that:

- (1) should a law enforcement officer wish to talk with a student under the age of 18* while the student is at school and interview the student for a reason other than investigating suspected child abuse or neglect, the District will not allow the law enforcement officer to question the student unless the school has first notified the student's parents and received permission from a parent for the student to talk with the law enforcement officer. The parents have the right to deny the request from law enforcement. The parents shall also have the right to be present should the parents grant permission to law enforcement officer to talk with the student;
- (2) should the Department of Social Services or a law enforcement officer be investigating suspected child abuse or neglect and wish to talk with a student under the age of 18* while the student is at school, the request to talk with a student shall be made to one of the school administrators at the school for approval of the interview. The law in South Dakota requires investigation of suspected child abuse to be kept confidential and can be done without notification to parents. Therefore, the school will not notify parents of a

request by the Department of Social Services or law enforcement to talk with a student in such instances.

*When a student reaches the age of 18, the student is a legal adult and has the authority to make decisions without parental involvement. However, the student, even if age 18 or older, may choose to contact his/her parents for advice before responding to a request by the authorities to meet with and talk to law enforcement and/or the Department of Social Services.

SEPARATED / DIVORCED FAMILY POLICY

I. School Neutrality / Parent Responsibility

The Deuel School District shall maintain strict neutrality between parents who are involved in an action involving the family (separation/divorce proceeding/divorced) as it is the intent of the District to promote the best interests of each student enrolled in its schools in partnership with both parents, unless otherwise directed by Court Order. It is the responsibility of the parent wishing to restrict a parental right to notify the District of any Court Order affecting student contact/visitation and/or student records by submitting a certified copy of the Court Order to the Superintendent of Schools and a copy to the child's school building principal.

II. Student Contact / Student Visitation During School Hours

Unless a parent gives notification pursuant to paragraph 1 above, the District will assume that both parents have the right to contact and visit his or her child at school. For purposes of this provision, the Court Order restricting any right of contact and/or visitation needs to specifically restrict the right and a general Order granting physical custody to one parent will not be deemed as sufficiently specific as to prohibit the noncustodial parent's right to contact and/or visit the child while the child is at school.

III. Release of Student to Noncustodial Parent

The District will not authorize a student enrolled in the District to leave the school premises with a noncustodial parent during school hours without the permission of the parent having primary physical custody of the child. For purposes of this provision, it is the responsibility of the custodial parent to provide the District with a certified copy of the Court Order granting custody pursuant to paragraph I.

IV. Release of Student Records

Pursuant to federal law (Family Education Rights and Privacy Act) both parents, regardless of marital status, have the right to access and have copies of student records and discuss the same with appropriate school employees, unless there is a Court Order specifically restricting this right of access. Any Court Order

restricting the release of confidential student records to a parent is to be submitted to the District pursuant to paragraph I.

Rules of Appropriate Computer Use

- Do not use the computer to harm other people or their work
- Do not damage the computer or the network in any way
- Do not interfere with the operation of the network by installing any software unless approved by administration
- Do not violate copyright laws
- Do not view, send or display offensive messages or pictures
- Do not trespass in another's folders, work or files
- Do not change system configuration
- Do not leave computer unattended
- Always use assigned computer bag to transport computer

Failure to follow these rules will result in suspension of computer privileges up to 30 days. **Also** Any accidental or intentional damage to the computer or network will be the billed out to the student/parent as outlined in policy. If student owes money to the school district, the computer may be taken away until the amount is paid. **BE PREPARED** to be held accountable for your actions and for the loss of privileges if the Rules of Appropriate Use are violated.

Internet

The Internet is a global electronic information infrastructure, a network of global networks. Because the Internet is a constantly changing electronic environment, the information available to users is constantly changing, and therefore, it is impossible to predict with certainty what information users might locate. The School District shall make every effort to restrict access to inappropriate materials; however, it is impossible to control all materials on a global network. This networking environment requires that the user be responsible for the appropriate use of this service. Therefore, the District shall not be liable for the content or viewing of any materials not prepared by the District. Availability of some materials on the Internet does not indicate endorsement of their content by the Deuel School District. The following rules apply to the use of the Internet:

- Be polite and use appropriate language in your messages to others. Obscene, abusive, sexually explicit or threatening language will not be tolerated.
- Never reveal your, or anyone else's personal information.
- Only State K-12 Students E-mail accounts are allowed unless permission is given by administration.
- You are prohibited from accessing, uploading, downloading, distributing, viewing or possessing any pornographic, obscene, or sexually explicit material and web sites that promote racism or religious intolerance.
- You and not the Deuel School District are responsible for possession of any and all materials, and for your actions with the use of the Internet.
- You must abide by and all local, state and federal rules and regulations.

- You are responsible for any action, artifice or scheme to defraud or obtain money, property, services and other things of value by false pretenses, promises or representations while using this access.
- Develop web pages only as directed by staff members to fulfill course or school related activities;
- Access is a privilege - not a right.
- Only files relating to classroom assignments may be stored on the network file sever

Any violation of District Internet policy or rules may result in loss of computer privileges for up to 30 days. Additional disciplinary action may be imposed and will be determined on an individual basis in keeping with existing practices and procedures regarding inappropriate language or behavior. When applicable, law enforcement agencies may become involved. The Deuel School District makes no warranties of any kind, either expressed or implied, for the Internet access it is providing. The District will not be responsible for any unauthorized financial obligations resulting from the use of this account.

Network

The use of the School District's network (LAN) and Intranet is a privilege, not a right. Guidelines are provided to make all users aware of the responsibilities associated with efficient, ethical and lawful use of network resources.

The School District does not guarantee that the network will be uninterrupted or error free; nor does it make any warranty as to the results to be obtained from use of the service or the accuracy or quality of the information obtained on or by the network. Access to the network is provided on an "as is" basis without warranties of any kind. Neither the School District nor any of its agents or employees shall be liable for any direct, indirect, incidental, special or consequential damages arising out of the use of or inability to use the network or out of any breach of any warranty.

User Accounts

User accounts are considered the property of the Deuel School District. The School District expressly reserved the right, at any time, to log, monitor and review, the subject, content and appropriateness of electronic communications or other computer files and remove them if warranted, reporting any violation to the school administration or law enforcement officials.

Persons, using the District network, shall have no expectation of privacy or confidentiality in the content of electronic communications or other computer files sent and received on the District network.

Bring Your Own Device

Students bringing personal devices to school may not be allowed on the District's network. Student's that bring personal devices to school are not allowed to have Mobile Hotspots.

Rules of Network Use

Users of the School District Network shall:

- Be responsible for all use of the network under their accounts and user names, regardless of whether access is gained with or without the person's knowledge and/or consent;
- Use only your own account. You may not access any other person's material, information, or files without their permission;
- Immediately notify the School District if they suspect any unauthorized use of their account. The person shall remain liable and responsible for any unauthorized use until the School District is notified of the suspected unauthorized use and has a reasonable opportunity to act upon such notice;
- Not harm or destroy in any way, the data of another user, including the uploading of, or the creation of computer viruses to any computer;
- Do not transmit, download, access or place unlawful information, any abusive, defamatory, obscene, profane, sexually explicit, threatening or illegal material on the network;
- Not use the District network to solicit sales or conduct business;
- Do not transmit copyrighted material without the express consent or authorization of the owner of the copyrights.
- Any sites that are deemed bandwidth intensive some as streaming music for streaming video or any other sites defined by the Deuel School District are not allowed for personal use.

Network Security

Security of all networks connected to the Deuel School District is a high priority. Anyone observing a security problem on the District network shall notify District personnel. Any person identified as a security risk or having a history of problems with other computer systems may be denied access to the District network. Any violation of District policy on network use may result in loss of privileges to the network or computer devices for up to 30 days. Access to the School District network may be denied, and the appropriate disciplinary action shall be applied. The School District's discipline policy shall be applied to student infractions.

The Children's Internet Protection Act (CIPA) is a federal law enacted by Congress to address concerns about access to offensive content over the Internet on school and library computers. The Deuel School District uses various resources to protect its K-12 students. The District adopted the CommonSenseMedia.org curriculum in 2011 for grades K-8. This curriculum satisfies all criteria for E-Rate compliance and is aligned to national standards for ISTE (International Society for Technology in Education), AASL (American Association of School Librarians), and the ELA (English Language Arts) Common Core. In grades 9-12, there are weekly meets for the student body focused on the use of technology and the proper use of online resources. The students in 9-12 along with their parents receive a yearly CIPA seminar in

conjunction with the district's laptop rollout where students and parents can ask questions and received information on best practices.

TRANSPORTATION

BUS REGULATIONS

TO: THE PARENTS OF TRANSPORTED PUPILS

By the authority of the Board of Education of the Deuel School District, your child is entitled to ride the school bus provided that he or she adheres to the safety rules. In the interest of safety for all pupils riding the Deuel school buses, a pupil will be reported in writing to the principal for continued and/or willful disobedience of the below safety regulations and may be suspended from riding the bus for a period of time to be determined by the administration.

During inclement weather, it is the responsibility of you, the parent, to see that your child is properly clothed to withstand the weather conditions in case of mechanical problems with the bus.

The basic responsibilities of your child while riding the Deuel School District bus include all of the following:

1. Obey the bus driver cheerfully. (He or she is responsible for your child's safety and must be obeyed.)
2. Pupils are not allowed to:
 - A. Bring candy or food items on the bus except lunches.
 - B. Put arms, heads, or legs out of the window.
 - C. Use any abusive or profane language.
 - D. Throw any objects from the bus windows.
 - E. Leave their seats while the bus is in motion.
 - F. Strike, push, or otherwise abuse another pupil while riding the bus.
 - G. Be excessively noisy while riding the bus.
 - H. Push while standing in line to board the bus.
 - I. Board or leave the bus except at their regularly scheduled bus stop without written permission from the parent.
3. No pupils will be allowed to ride the school bus unless they are registered to that particular bus unless permission has been granted by the administration.
4. Pupils are expected to enter and leave the bus in an orderly fashion.
5. Pupils are to be absolutely silent while the bus is approaching and proceeding across any railroad crossing.
6. If it is necessary to cross the road after leaving the bus, pupils are to cross ten feet in front of the bus after receiving a clear signal from the driver and all approaching traffic has stopped.
7. Pupils are to report promptly to their principal when instructed to do so by their driver.
8. Pupils shall observe classroom conduct while riding the school bus. (TREAT BUS EQUIPMENT AS YOU WOULD VALUABLE FURNITURE IN YOUR OWN HOME.) Damage to seats, windows, etc. must be paid for by the offender.

Consequences for bus infractions:

1. The first reported incident from the bus driver, transportation manager, or the principal will result in a call from the principal referring to the infraction. A verbal warning will be given.
2. The second reported incident will result in the loss of bus privileges for 5 days. The principal will contact the student and the parents/guardians.
3. The third reported incident will result in the loss of bus privileges for the remainder of the school year. The principal will again make contact to the student and the parent/guardian.

SCHOOL BUS ~~CHANGES OR CHANGES TO AFTER SCHOOL PLANS~~

~~If a child is not to ride the bus home from school, or is to ride a different bus, communication from the parent is essential.~~

As part of our commitment to ensuring the safety and well-being of all students, it is essential for us to be informed of any alterations to your child's usual after-school routine. Whether your child is attending an extracurricular activity, going home with a friend, or being picked up by a different caregiver, timely communication is crucial.

Effective immediately, we kindly request that all changes to after-school plans be communicated to the school office no later than 2:00 p.m. on the day of the change. This allows us sufficient time to update our records, inform teachers, and ensure that your child is directed to the correct destination at the end of the school day.

Failure to notify us or late notifications of after-school changes may result in confusion for your child and delays in their departure from school. Additionally, it may pose challenges for our staff in ensuring the safety and security of all students.

To notify us of any changes to your child's after-school arrangements, please contact the school office at 605-874-2161. Sending a remind message to your child's teacher by 2pm would likely be the most effective form of communication.

Parental Notification
School Health Assessments ~~2023-2024~~ 2024-2025

From time to time during the year, health screening may be provided through a contract with the South Dakota Department of Health (DOH), which is subject to the rules and regulations of the Health Insurance Portability and Accountability Act (HIPAA). HIPAA requires that the DOH provide access to our Notices of Privacy Practices. You may view the DOH notice on our website at <https://doh.sd.gov/documents/HIPAANotice.pdf> or request a printed copy by contacting us at 1-800-305-3064.

Screenings that will be provided during the ~~2023-2024~~ 2024-2025 school year include:

- Vision Screening for students in Grades Kindergarten, 1st, 3rd, 5th, 7th, 8th, 11th
- Hearing Screening for students in Grades Kindergarten, 1st, 2nd, 3rd, 7th, 11th
- Physical Assessments for students in Grades Kindergarten and 5th
- Scoliosis Screening for girls in Grades n/a
- Scoliosis Screening for boys in Grades n/a

Abnormal curvature of the spine is usually first noticed at the beginning of the adolescent growth spurt. Often early detection and appropriate treatment can prevent progression. The screening procedure takes about 30 seconds and does require the student to remove his/her shirt or blouse in order that the spine can be visually observed by the Community Health Nurse.

A child **not** included in the grades/service listed above can be screened with the written consent of the parent/legal guardian.

Parents will be notified of any concerns identified during the health screenings so their child can be further evaluated by the provider of the parent's choice.

When a vision or hearing screening indicates additional testing is needed, the nurse can discuss with school personnel the possible accommodations in the classroom that can be made for the benefit of the child.

If you agree to your child's participation as indicated above, there is no need to sign or return this form to the school.

To Decline Services

_____ I agree to have my child participating in health screening, but do **NOT** want an abnormal hearing or vision screening result to be shared with school personnel

_____ I decline to have my child participate in school health screening

(Printed name of student)_____ (Printed name of parent)_____

(Parent Signature)

Permission to Publish

I give permission for my photograph, picture and/or projects to be published on the website, around the community or in the classroom. I understand that my name will not be used with the published photograph, picture or project. This will help ensure my privacy.

☐ - Yes, I give permission to the school to publish photographs, pictures, and/or projects

☐ - No, I do not give permission to publish photographs, pictures and/or projects

Student's Printed Signature (full name)

Parent's Signature

Student's Teacher's Name and Grade

Date

DEUEL SCHOOL DISTRICT #19-4 MIDDLE/HIGH SCHOOL PARENT/STUDENT HANDBOOK



Clear Lake, South Dakota

Deuel School District
P.O. Box 770
410 5th St. W.
Clear Lake, SD 57226
Phone – 605-874-2161
Fax – 605-874-8585

Chad Schiernbeck, Superintendent
chad.schiernbeck@k12.sd.us

Middle/High School Principal

Ellen Schmahl, Business Manager
ellen.schmahl@k12.sd.us

Deuel Middle School/High School Handbook

Mission Statement:

Empower students to become independent learners, personally accountable, and responsible citizens.

Belief Statement:

Deuel School District Believes:

Everyone in the community contributes to the education of the children in our schools.

Therefore, we are committed to:

- * Personal responsibility and accountability.
- * Respecting others and maintaining an open line of communication in the district.
- * Providing opportunities and resources for individual success.
- * Maintaining and communicating high academic and professional standards

PERSONNEL NON-DISCRIMINATION POLICY

Applicants for admission and employment, students, parents, employees, and all unions or professional organizations holding negotiated agreements with the School District are hereby notified that this District does not discriminate on the basis of race, color, national origin, sex, age, or disability in admission or access to, or treatment or employment in, its programs and activities. Furthermore, the Deuel School District abides by the *Boy Scouts of America Equal Access Act* which addresses equal access to meet on school premises or in school facilities for the Boy Scouts of America and other designated youth groups.

Any person having inquiries concerning the Deuel School District's compliance with the regulations implementing Title VI, Title IX, Americans with Disability Act or Section 504 is directed to coordinate the District's efforts to comply with the regulations implementing these regulations.

Superintendent
Deuel School District #19-4
410 Fifth Street West
P.O. Box 770
Clear Lake, SD 57226

Telephone 605-874-2161

Fax 605-874-8585

You may also contact the Section 504 Coordinator at the South Dakota Department of Education and Cultural Affairs by calling 605-773-3134 or the Regional Director, Department of Education, Office for Civil Rights, 1244 Spear Blvd. Suite 310, Denver, Colorado 80202-3582.

ANNUAL NONDISCRIMINATION NOTIFICATION

Deuel School District 19-4 Annual Public Notice Career and Technical Education

Deuel Schools Department of Career and Technical Education offers a variety of career and technical programs to all students at the middle school and high school levels. The program areas include the following.

- Ag Food and Natural Resources
- Architecture and Construction
- Business, Management and Operation
- Information Technology

Tech Prep opportunities are also available for students who are entering the workforce and/or post-secondary education through an articulation agreement with Lake Area Technical Institute. For more information about Career and Technical Education, call (605)874-2161.

The Deuel 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 Boys Scouts and other designated youth groups. The following person has been designated to handle inquiries regarding the non-discrimination policies:

504 Coordinator-Chad Schiernbeck
PO Box 770, Clear Lake SD 57226
605-874-2161

Title IX Coordinator-Chad Schiernbeck
PO Box 770, Clear Lake SD 57226
605-874-2161

South Dakota Regional US Office for Civil Rights:

Office for Civil Rights
U.S. Department of Education
One Petticoat Lane
1010 Walnut Street, 3rd floor, Suite 320
Kansas City, MO 64106

Telephone: 816-268-0550
FAX: 816-268-0599; TDD: 800-877-8339
Email: OCR.KansasCity@ed.gov

Dear Parents and Students,

Welcome to Deuel High School for the 2024-2025 school year. Deuel School District wishes that we all share a year of outstanding successes and that we might work together to provide a safe and quality educational environment for all.

It is my desire that each student avail himself/herself of all possible opportunities for personal growth and fulfillment.

It is your responsibility to become familiar with the material in this handbook. Let's have a great year!

MS/HS Principal

TEACHING STAFF

MIDDLE SCHOOL FACULTY

English	Cindy Konold
Math	Amy Tvedt
Physical Education	Kris Ulmer
Science	Alyssa Beckius
Social Studies	Dustin Hourigan
Middle School Special Education	Rhonda Young

HIGH SCHOOL FACULTY

Agriculture Education	Taylor Krause
English	Karen Domina and Kim Eggers
Industrial Tech	Brian Tvedt
Math	Sara Maaland and Lindsey Gorder
Business/Personal Finance/Accounting	Caleb Mack and Michael Gohring
Sciences	Emily Brown and Katie Hinker
Social Studies	Issac Ronne
High School Special Education	Kea Kellen

FACULTY PK-12

Art	Brooke Hockett
Band	
Guidance	Jessica Folk & Amanda Hillesheim
Vocal Music	Doug Dyk
Physical Education	Lynn Gudmundson
Technology	Mike Gohring

STATE GRADUATION REQUIREMENTS (HS)

Twenty-four units of credit must be attempted at Deuel High School. Seniors must accumulate a minimum of 22 credits to fulfill graduation requirements. These are in accordance with rules and regulations of the State Department of Education and the local Board of Education with exceptions as recommended by the Administration.

South Dakota Department of Education Required Curriculum

Language Arts	4 units
Mathematics	3 units (must include Algebra)
Science	3 units (Must include Biology)
Social Science	3 units
Fine Arts	1 unit
Personal Finance or Economics	½ unit
Health	½ unit (Health Integration)
Physical Ed.	½ unit
Required Electives	1 unit of any of the following or a combination: Approved CTE course Senior Project World Language

*Total Credits needed for graduation- 22 units

*One unit equals one credit

Opportunity Scholarship Curriculum***

Language Arts	4 units
Social Studies	3 units
Math	4 units (Algebra I or higher)
Science	4 units (3 approved lab science)
Fine Arts	1 unit
Economics or Personal Finance	½ unit
P.E.	½ unit
Health or Integration	½ unit (MS Health)
Physical Education	½ unit
Required Electives	2 units of either of the following or a combination of the two: Approved career and technical education courses Modern or classical language

** To qualify for the Opportunity Scholarship a student must have a minimum score of a 24 on his/her ACT Exam and have NO grade below a "C" on his/her transcript to receive the monetary award

Regents Scholar Curriculum

Language Arts	4 units
Math	4 units (Algebra I or higher)
Science	4 units (3 approved lab science)
Social Studies	3 units
Modern or Classical Language	2 units (consecutive)
Fine Arts	1 unit

**Student must have a 2.0 on a 4.0 scale on all coursework and maintain a "B" 3.0 on 4.0 scale throughout HS

***REGENT SCHOLAR – It is the Deuel School District's goal that all our students will strive to complete the Regent Scholar curriculum. Students who successfully complete the Regent Scholar curriculum automatically qualify for entry into any of the six state funded universities.

STUDENT GRADUATION REQUIREMENTS (HS)

1. Seniors must have attempted 24 credits, and accumulate a minimum of 22 credits to fulfill graduation requirements.
***No more than one credit may be earned as an aide.
2. If students do not have the required amount of credits to advance to next grade level, they will be listed according to the number of credits they have earned. For example: if a junior did not pick up enough credits throughout the year to qualify for senior status, that student will be listed as a junior next year.

3. Any subject offered to students of lower grade level may be taken by a student of a higher grade level by securing permission of the principal.
4. Courses must be completed or no credit will be received.
5. Any senior who fails to meet the requirements for graduation will not be allowed to participate in the graduation ceremonies.

HIGH SCHOOL REQUIRED COURSES (HS)

9 th Grade	English Language Arts 9, Algebra I, Physical Science, Geography, Leadership and Service, 9 th English Literature & Physical Education
10 th Grade	English Language Arts 10/Speech, Geometry, Biology, World History & Physical Education II
11 th Grade	American Lit I & II, U.S History
12 th Grade	Brit Lit I, Government, Personal Finance, Senior Capstone Experience

It is expected that students will have basic keyboarding skills and have had experience in using the Internet. These expectations may be met by high school course work or demonstrated by some other means.

GRADING SCALE (HS)

In order to maintain an equitable reporting system, it is essential that teachers at all levels use a similar grading scale. The following scale shall be used for determining grades on a percentage basis:

Letter	Percent	GPA
A	100-92	4.0
B	91-83	3.0
C	82-74	2.0
D	73-65	1.0
F	64 and below	0.0

SCHOLASTIC HONOR ROLL (MS and HS)

For those students who have displayed academic excellence, an honor roll listing their names will be published at the conclusion of each semester. Requirements for the Honor Roll are as follows:

1. 4.00 or higher in all classes for that semester
2. 3.5 and up to 3.99
3. 3.0 and up to 3.49

Grades received by students in music, P.E., and aide positions will not be counted towards honor roll points. However, students taking band or chorus all four years of high school will have grades counted towards honor roll points in their senior year. Students receiving a D or F for a subject will automatically be disallowed.

VALEDICTORIAN (HS)

The senior student with the highest cumulative GPA throughout their high school career will be chosen as valedictorian. In the event of a tie in GPA, the student with the highest ACT composite score will be chosen as valedictorian.

PROGRESS REPORTS/REPORT CARDS (MS and HS)

Report cards will be distributed approximately one week after the end of each semester grading period.

ADVANCED PLACEMENT (HS)

The Advance Placement (AP) Program is a cooperative educational endeavor between secondary schools and colleges and universities. AP allows students to get a head start on college level coursework in high school with the opportunity to earn college credit in the process.

*Students must take and pass the AP exam in order to receive college credit.

~~INDEPENDENT STUDY (HS) — REMOVE~~

~~Independent study will be available for students who wish to pursue a topic depth beyond the regular classroom offering. This may be done in the following manner:~~

- ~~1. Make an application to the principal and instructor.~~
- ~~2. Must have demonstrated a proficiency in the academic area.~~
- ~~3. Must have a "B" average or better.~~
- ~~4. Must have the consent of the principal and instructor.~~
- ~~5. Instructor must have a written curriculum for the student.~~

DISTANCE LEARNING POLICY (HS)

Distance Learning is a means for school districts to provide courses that normally would not be offered because of low enrollment or other constraints.

Students currently have the option of enrolling in courses through Northern State University E-Learning Center, Apex Learning, South Dakota Virtual School, BHSU, SDSU, DSU, USD, NSU and all state technical schools. Students must communicate their desire to take these courses during registration in the spring. Students will be given information regarding these organizations prior to registering for classes.

NSU E-learning classes are two-way interactive video or online format class and are offered free of charge to students who are accepted through a registration process. The school will purchase any required materials provided that the student complete the course and follow the behavior policy. Any student who fails to complete the course or is removed from the class for disciplinary reasons will be required to pay for any material purchased by the school for said class.

South Dakota Virtual School is a clearinghouse of courses offered by various School Districts across the state. The cost of these courses vary by course and sending district. All costs associated with these courses are born by the student.

Course offered by State or Private Universities or Technical Schools have a variety of delivery methods and must be approved by administration and all costs are the responsibility of the student.

***Deuel school will accept credit given by the above listed, and it will count toward graduation from Deuel School. Permission to replace a class provided by Deuel School with a class from any State University or Tech School, APEX, SILDL, or DIAL must be approved by the Principal prior to registering for the class. Students who register for classes from NSU will be allowed to drop prior to the class beginning providing no materials for the course have been purchased by the District.

Because of the uniqueness of Distance Learning, certain standards are expected of the students enrolling in these courses. This policy is intended to make both the students and parents aware of the standards expected of them when enrolling in such courses.

Freshman

-students will not be allowed to take an online course unless provided support from classroom teacher directly

Sophomores

-students will be allowed to take an online course with teacher or principal permission only based on specific situation.

Juniors

-students must maintain class pace, complete all assignments by posted deadline

Seniors

-students must maintain class pace, complete all assignments by posted deadline

Dual Credit Policy: (HS)

All students enrolled in dual credits must maintain class pace and complete all assignments by posted deadlines. They will be required to check in weekly for staff to monitor progress and complete a grade check. Students must be passing all dual credit classes to be eligible for extracurricular activities. Junior and senior students must meet the following requirements to be eligible to sign up for dual credit classes.

Juniors (Must meet ONE of the following requirements)

- no less than a 3.5 cumulative GPA
- earn an ACT composite score of 24
- be in upper one-third of class rank
- earn a qualifying score on the Accuplacer
- must follow all established guidelines and requirements

****Juniors are allowed to take up to two dual credit courses each semester.**

Seniors (Must meet ONE of the following requirements)

- no less than a 3.25 cumulative GPA
- be in upper one-third of class rank
- earn an ACT composite score of 21
- earn a qualifying score on the Accuplacer
- must follow all established guidelines and requirements

****Seniors are allowed to take up to three dual credit courses each semester.**

****Note:** The school calendar of the originating site will determine which days are in session. If the class meets on days Deuel Public Schools is not in session, class attendance is still required.

Procedure for noncompliance of guidelines in the Online classes:

1. When a student falls behind established pace guidelines:
 - a. Meeting with Principal
2. When a student falls more than 10% behind established guidelines
 - a. Meeting with Principal and Parents
3. When a student falls more than 20% behind established guidelines
 - a. Student will be removed from class and deposit will not be returned

LATE WORK POLICY/BEST PRACTICES PROCEEDURE (MS and HS)

The policy will operate under the following premises:

- All assignments will be completed.
- Deadlines set by the teacher will have to be met to avoid grade deduction. Assignments not turned in by the deadline and turned in the following week will receive a 50% reduction in grade. No credit will be given to assignments turned in after the conclusion of the chapter/unit.
- Parent contacts may be made when students have a D or F as a standing grade (MS and HS).
- Parents will be contacted with weekly emails explaining student/teacher pace (MS).

EXTRA-HELP FRIDAYS (MS and HS)

The Deuel School District will hold extra-help sessions on Fridays in which regular school classes are not in session. The extra-help sessions are designed to help students pass academic programs and an opportunity to have 1 to 1 time with classroom instructors. Students that choose not to attend are forfeiting an opportunity to improve and correct deficiencies. The District strongly encourages taking full advantage of this service.

***All students regardless of current letter grade have the opportunity to take advantage of the Help Sessions

TEXTBOOK (MS and HS)

All text and reference books are loaned to students without charge. Lost books must be paid for and fines will be charged for damage to books. Fines will be assessed as follows: 0-2 years - 50%; 3-4 years - 30% and 5 years or more - 15%. All textbooks will be evaluated by the teacher and student at the beginning and the end of the year to assess damages properly. The writing of obscenities in books will be treated as destroying the book and the student will be assessed the cost of replacing it.

VISITOR POLICY (MS and HS)

Please use the high school entrance when visiting the school. Entrances will always remain locked for security purposes. All visitors will be required to check into the office when entering the school. The office will provide the visitor with a visitor badge if they must be in the hallways or a classroom.

ABSENCE AND ATTENDANCE POLICY (MS and HS)

Regular attendance is essential to a student's success in school. Scholastic achievement is often directly related to attendance, so it is vital that students attend regularly. South Dakota Law gives the responsibility for regular attendance to students and parents. Parental support of regular attendance is expected.

Parents are asked to call the school before 9:00 am each day that a student is absent. If parents do not call, the school will attempt to contact the parent. If the school cannot reach the parent during the day of absence, the absence will be unexcused. Students who arrive at class fifteen or more minutes late will be counted absent unexcused for that class period. Parents who are taking their child on an extended trip must call before leaving to excuse their child for the duration of the trip. Students must check out at the MS/HS principal's office when leaving during the day or the absence will be unexcused.

Completion of missed work is the responsibility of the student. The student will have two full days for each full day of excused absence, maximum of six full days, to complete work missed unless arrangements have been made with the individual classroom instructor. Please note that Fridays count as one of the six days providing staff are in session. Should the pattern of attendance persist the District may choose to remove credit for those classes.

GUIDELINES FOR EXCUSED AND UNEXCUSED ABSENCES

School officials have the final decision in all situations.

Exempt Absences – DO NOT COUNT AGAINST STUDENT ATTENDANCE:

- School-sponsored activities (school sports, school activities)
- Doctor/Dentist Appointments verified by a doctor's office note
- Funerals/Religious Observations
- Court Appointment
- College Visit – Junior or Senior Year Only (Must have documentation of visit)

Excused Absences – WILL COUNT AGAINST STUDENT ATTENDANCE

- Parent Request
- Personal Illness or accident

Weather Related absences
Suspension from School
Death, serious illness, or injury within the immediate family/household/close friends
Family Vacations for Multiple Days (Will count as 1 absence if the school is notified in advance and the necessary work is completed before trip)
Other compelling situations which are approved by the administration

Unexcused Absences – WILL COUNT AGAINST STUDENT ATTENDANCE

Absences without permission from parent, guardian, or school official
Examples of absences which may not be excused by school officials unless there are extenuating circumstances include, but are not limited to:
Oversleeping
Missing class to prepare for another class or activity
Failure to check out in the office before leaving during the school day

CONSEQUENCES FOR EXCESSIVE ABSENCES

School Consequences
7 Excused and/or Unexcused Absences: Notification to parents of attendance policy.
10 Excused and/or Unexcused Absences: Notification to parents when students have missed 10 times in one or more classes.
12 Excused and/or Unexcused Absences: If student has missed 12 or more days within a semester of school, the School Resource Officer may/will write a truancy ticket for excessive absences.

TEMPORARY EXCLUSION RECOMUNDATIONS FOR ILLNESS IN THE SCHOOL SETTING (MS and HS)

- A. Chicken pox (Varicella): exclude until all lesions have dried and crusted or, in immunized children without crusts, until no new lesions appear within a 24-hour period.
- B. COVID-19: exclude based on current CDC and SD Department of Health guidance, see doh.sd.gov.
- C. Diarrheal diseases: exclude while symptomatic only if person is unable to practice independent hygiene.
- D. Haemophilus influenzae type B, invasive (Hib): exclude until after the child has been cleared by a physician.
- E. HIV, Hepatitis B, Hepatitis C, and other bloodborne diseases: generally no exclusion; considerations may exist if there is potential for bloodborne exposure. Consult healthcare provider for guidance.
- F. Hepatitis A: exclude until one week after onset of illness.
- G. Influenza and Influenza-like illness: exclude until fever has been absent for 24 hours in an unmedicated state. Additional exclusions may be necessary for documented novel strain or pandemic influenza based on SD Department of Health and CDC guidance.
- H. Measles: exclude until four days after onset of rash.
- I. Meningococcal disease (Neisseria meningitidis): exclude until after 24 hours of antibiotic treatment.
- J. Methicillin-resistant Staphylococcus aureus (MRSA): exclude only if confirmed MRSA is present from a wound in which drainage is occurring and cannot be covered and contained.
- K. Mumps: exclude until five days after the onset of parotid gland swelling.

- L. Pertussis (Whooping cough): exclude until completion of 5 days of appropriate antibiotic treatment. If appropriate antibiotic treatment is not received, exclude until 21 days after onset of cough.
- M. Hand Foot and Mouth: The child should stay home from school or childcare until he or she has no fever for 24 hours and the mouth sores and open blisters have healed. Sores on the palms of the hands and soles of the feet rarely blister. Children can be in school/daycare with those sores as they may take weeks to resolve. However, if the child has blisters, anywhere on the body, the blisters need to be healing and crusted over before returning to school/daycare.
- N. Pink eye, head lice, ringworm, herpes gladiatorum, molluscum contagiosum, and skin rashes without fever: generally no exclusion; special considerations may exist. Consult healthcare provider for guidance.
- a. Pink Eye:
 - Bacterial: Thick, sticky, white/yellowish discharge from eye(s). Child needs to be seen in the clinic. Child has to be on antibiotic drops for 24 hours before returning to school.
 - Viral: watery red eyes. Child can be in school as long as they don't have a fever and are feeling well otherwise.
 - Allergic: no need to stay home from school.
 - b. Ringworm:
 - Children with ringworm can return to school the day they start treatment for ringworm. If it is on the scalp, they need to remain out of school for 24 hours after treatment has been started. Any child with ringworm should not participate in gym or other close contact activities that are likely to expose others until 72 hours after treatment has begun or until lesions can be completely covered.
 - c. Head Lice:
 - Based on the recommendations of the National Association of School Nurses, the American Academy of Pediatrics, the Centers for Disease Control, and the State Department of Health the following are guidelines for managing head lice in the school setting:
 - Teachers and/or parents may request that a student be checked for lice, based on excessive head scratching, student report of a "crawling" feeling, or observation of suspected lice and/or eggs.
 - ii. The student should be screened by the school nurse
 - iii. Students with live lice should be allowed to remain in the classroom until the end of the day but should be discouraged from close head to head contact with other students.
 - iv. In some situations students may be sent home. Sending a student home is determined on an individual basis. Common sense should prevail when deciding how contagious an individual child may be (a child with hundreds of live lice vs. a child with 2 live lice).
 - v. Parent/guardian should be informed of the findings either by phone or note. Information on head lice and treatment should be provided to the parent/guardian. It is expected that parent/guardian will treat the child before sending them back to school. Head Lice Information can be found on the District website under Health Services.
 - vi. The student may return to school the next day. The nurse or designated staff will determine if a student has been treated based on parent/guardian report and visual inspection.
 - vii. Non-compliant cases require the use of good nursing judgment that does not punish the child.
 - viii. Classroom checks and letters informing parents of head lice may be done in the case of an outbreak and at the discretion of the school nurse.
 - ix. The school nurse is the best person to provide education and guidance for head lice management.
- O. Rubella: exclude until seven days after onset of rash.
- P. Scabies: exclude until after treatment has started.

- Q. Shingles (Herpes zoster): generally no exclusion if lesions can be covered. If lesions cannot be covered, exclude until rash or lesions have crusted over.
- R. Strep throat and Streptococcal skin infections: exclude until after 12 hours of antibiotic treatment.
- S. Tuberculosis: exclude until a physician, concurring with the SD Department of Health, states the child is not infectious.

With any illness, students must be fever free for 24 hours in an unmedicated state before returning to school.

PETS: (MS & HS)

The school district tries very hard to keep student bodies safe. After consulting with professionals certified in public and food safety, pets are not allowed in school.

DISCIPLINE (MS and HS)

It is the objective of the Deuel School District to recognize, preserve and protect the individual rights of all students, and at the same time encourage and enforce the exercise of these rights within the necessary framework of an orderly, efficient and continuing school program. Therefore, discipline and structure are necessary standards for the maintenance of an atmosphere where orderly learning is possible and encouraged.

The administration will enforce the district discipline policy unless unusual circumstances exist which can be more properly handled by other actions. Parent(s) or guardian will be notified for disciplinary actions involving out of school suspension. Parents will also be notified when law enforcement is involved except in cases of child abuse and/or sexual abuse.

GENERAL CONDUCT (MS and HS)

The issues addressed are general rules of the school, which are important procedures toward establishing an environment conducive to learning.

1. Student will not be at a locker during class time.
2. Hats, caps, stocking hats, blankets, and hoods will be removed and put away when in the building.
3. Passes will be used and times will be written on them.
4. Students will not use foul language.
5. Students will not demonstrate inappropriate, disruptive behavior.
6. Students will show proper respect to employees of the Deuel School District.

CONSEQUENCES (MS and HS)

Realizing that discipline is essential to the normal operation of the school, any or all of the following steps may be taken to help students who have demonstrated misbehavior:

1. Counseling
2. Parental Conference
3. Contracts
4. Detention
5. Suspension from class
6. In-school suspension
7. Out-of-school suspension
8. Expulsion

Understand that steps taken will depend on the nature of misbehavior, a student's past record, and more importantly, the school official's opinion as to what is necessary to ensure appropriate behavior by this particular student.

Definitions:

Detention: a form of discipline that detains a student outside of the normal school hours. Students involved in activities may miss the activity to fulfill detention requirements. Detention can be spent before school, over the lunch hour, and/or after school. A student who misses detention will have additional consequences assigned. Students serving detention will not be allowed to talk and should have homework to work on. No phone usage is allowed.

In-School Suspension (ISS): a temporary denial of a student to participate in any instructional or school activity for a period of time as determined by administration. Students will serve ISS in the office area. Students will be expected to make up all work missed during their time in ISS and will receive the full grade earned for the work completed. All make-up work given to the student on ISS will be due when the student returns to the classroom. No headphones or cell phones will be allowed during ISS. ISS may be served on Fridays or at the Principals' discretion.

Out – of -School Suspension (OSS): a temporary denial of a student to participate in any instructional or school activity for a period of time as determined by administration. Students will be expected to make up work missed and will receive the full grade earned for the work completed. All make-up work given to the student on OSS will be due when the student returns to the classroom. Students are not allowed to attend or participate in any extra-curricular or co-curricular activity including practices that day.

Expulsion: Denial of a student to participate in any instructional or school activity on or off school property for a period of time as determined by the school board.

Progressive Discipline Chart

(Guidelines only, administration reserves the right to modify consequences)

Class 1 – Attendance (Per Quarter)	1 st Offense	2 nd Offense	3 rd Offense	Habitual Disobedience
Tardy to School or Class	Warning and Recorded	Warning and Recorded	Detention and/or Parent Contact	Detention and/or ISS (1 Day) and Parent Contact
Skiping Detention/Leaving the Building w/o permission	1 Additional Detention	2 Additional Detentions	ISS (1 Day)	ISS (2 – 5 Day)
Class 2 – Behavior (per year)	1 st Offense	2 nd Offense	3 rd Offense	Habitual Disobedience
Cell Phone/Electronic Device Violation	Confiscated (picked up in classroom/ office at the end of the day)	Confiscated (picked up in office at the end of the day)	Confiscated (held in office until a parent/guardian picks it up), Detention	ISS (1 Day)
Insubordination: Behavior that is disruptive, disrespectful, or interferes with teaching and learning	Detention	Additional Detentions	ISS (1 Day)	ISS (2 – 5 Days)
Technology Violation (Acceptable Use Policy)	Warning and Recorded	Detention	Detention (technology access limited for a period of time)	ISS (1 Day) (technology access limited for a period of time)
Class 3 – Safety (Per Year)	1 st Offense	2 nd Offense	3 rd Offense	Habitual Disobedience
Aggressive/Disrespectful/Offensive Language, Obscene Gesture/Drawings,	ISS/OSS (# based on severity of offense)	ISS/OSS (# based on severity of offense)	ISS/OSS (# based on severity of offense)	Long Term Suspension
Harassment, Bullying, Intimidation, Racial Slurs	ISS/OSS (# based on severity of offense)	ISS/OSS (# based on severity of offense)	ISS/OSS (# based on severity of offense)	Long Term Suspension
Physical Aggression, Threatening Behavior/Words/Communication	ISS/OSS (# based on severity of offense)	ISS/OSS (# based on severity of offense)	ISS/OSS (# based on severity of offense)	Long Term Suspension
Class 4 – Illegal (Per High School Career)	1 st Offense	2 nd Offense	3 rd Offense	Habitual Disobedience

Theft	ISS (# based on severity of offense), Police Referral, Restitution	OSS (# based on severity of offense), Police Referral, Restitution	OSS (# based on severity of offense), Police Referral, Restitution	Long Term Suspension, Police Referral, Restitution
Smoking/Tobacco/Vaping	ISS (# based on severity of offense)	ISS/OSS (# based on severity of offense)	Long Term Suspension	
Destruction of School Property/Vandalism/Trespassing	ISS/OSS (# based on severity of offense)	OSS (# based on severity of offense)	Long Term Suspension	
Alcohol, Drugs, or Mood Altering Substances (using, under the influence, or possession including paraphernalia)	OSS (# based on severity of offense, suggested 5 days)	OSS (# based on severity of offense, suggested 10 days)	Long Term Suspension	
Drugs/Alcohol – Possession of an amount that suggests distribution	Long Term Suspension			

ELECTRONIC COMMUNICATION DEVICES (MS and HS)

All electronic communication device policies are handled by the classroom teacher, and individual classroom rules will apply. Repeat offenders may be subject to grade deductions, detention, and possible in-school suspension. Students are allowed to use electronic communication devices in the hallways and during lunch periods. Students who use the electronic communication devices improperly are subject to having them confiscated by teachers and/or administration.

CHEATING OR PLAGIARISM (MS and HS)

Cheating or plagiarism will not be tolerated at the Middle or High school levels. Any student caught cheating or plagiarizing on a test or an assignment will receive a zero for that test or assignment. In addition to the zero score, students in possession of materials belonging to the teacher, the school, or another student, without the permission of those agents will be disciplined according to the Discipline policy.

DRESS CODE/PERSONAL HYGEINE (MS and HS)

The Board recognizes that it is the prerogative of parents to determine what is appropriate dress and grooming for their children in accordance with the age and grade of these students. It is hoped that decisions made by parents and students in these matters will reflect favorably upon the individual, the school, and the community.

There are certain restrictions necessary on a student's dress and grooming when such dress and grooming may create a health or safety hazard; invade the rights of others; or, be disruptive to the educational environment by detracting from the decency and decorum in school. It will be the responsibility of the building principal to determine violations of the intent to this policy and to take necessary corrective action.

BULLYING & HARASSMENT (MS and HS)

The District is committed to maintaining a constructive, safe, and bullying-free school climate that is conducive to all students' educational opportunities and which fosters an environment in which all students are treated with respect and dignity. Bullying can inhibit a student's educational opportunities and may also have long-term negative effects on a student. Bullying of students shall not be tolerated and is strictly prohibited. Bullying of students from other schools who are at a District activity, parents, school employees, guests, visitors, volunteers and vendors of the District shall also not be tolerated and is strictly prohibited.

This policy shall not be interpreted or applied to prohibit civil exchange of opinions or debate protected under the state or federal constitutions if the opinion expressed does not otherwise materially or substantially disrupt the education process or intrude upon the rights of others. However, conduct which substantially interferes with the work of the school, causes material and substantial interference with school work and discipline, and might reasonably have led school authorities to forecast substantial disruption of or material interference with school activities is not constitutionally protected speech and is therefore prohibited under this policy.

All students, parents, employees, guests, visitors, volunteers and vendors shall conduct themselves in a civil and responsible manner and in a manner consistent with school policies related to student, parent, employee and visitor conduct. This policy prohibiting bullying shall apply to all students, parents, employees, guests, visitors, volunteers and vendors while on school property, while attending or participating in school activities, on school-owned property or on non-school property, while in any school-owned or leased vehicle, while at a school bus stop, or when in a private vehicle located on school property during school or during school activities.

The District shall investigate all reported instances involving bullying. Unless a different person is designated by the Superintendent to conduct the investigation, the Principal of the school attendance center where the bullying is alleged to have occurred is responsible for investigating the alleged bullying. Allegations of bullying may also be reported by the administration to other authorities, including but not limited to law enforcement.

Students who violate this policy shall be subject to appropriate disciplinary action, up to and including expulsion. Employees who violate this policy shall be subject to appropriate disciplinary action, up to and including termination of employment. Parents, guests, visitors, volunteers, and vendors who violate this policy may be prohibited from being on school property.

Pursuant to state law:

- A. any school district employee, school volunteer, student, or parent who promptly reports in good faith an act of bullying to the appropriate school district official as designated in the school district's policy, and who makes the report in compliance with the provisions of the school district's policy, is immune from any cause of action for damages arising from failure to remedy the reported incident, and
- B. no cause of action is created against the school district, school district employee, school volunteer, student, or parent unless there has been substantial noncompliance with the school district's policy which results in injury to a person.

The District will maintain confidentiality to the maximum extent possible under the circumstances. However, a person reporting bullying conduct must understand that should the administrator who is investigating the report determine there is reasonable cause to suspect that bullying did occur which could result in administrative discipline or a referral to the School Board, the person alleged to have abused the other person may have the right to know the identity of the person(s) making the report in order that he/ she may have an opportunity to defend himself/herself. The District strictly prohibits retaliation against any person because he or she has made a report, testified, assisted, or participated in the investigation of a report of alleged bullying. Retaliation includes, but is not limited to, any form of verbal or physical reprisal or adverse pressure. The person(s) alleged to have bullied another person shall not directly or indirectly (such as through another person) harass, pressure, or retaliate against any other person because of the complaint being reported. A violation of this provision may lead to separate disciplinary action based on the retaliation. Any person who believes he or she is being subjected to retaliation because of his or her involvement with a bullying report should immediately contact a school administrator.

Complaints against school employees and complaints related to Sexual Harassment are addressed through other school district policies and not through this policy.

SECTION 2 – Bullying Defined

- A. Bullying is an intentional isolated act or pattern of repeated conduct toward another person that is sufficiently severe and offensive to a reasonable person, and
 - 1. has the purpose or effect of creating an intimidating, hostile or offensive school environment for one or more students, parents, employees, guests, visitors, volunteers or vendors, and/or

2. has the purpose or effect of substantially or unreasonably interfering with a student's educational opportunities (i.e., academic, co-curricular activities, extra-curricular activities, and social opportunities, etc. within the school environment), employee's and volunteer's work environment or performance, or access by parents, guests, visitors or vendors, and/or
 3. places a person in reasonable fear of harm to his or her person or damage to his or her property, and/or
 4. causes physical hurt or psychological distress to a person, and/or
 5. constitutes retaliation against any person for asserting or alleging an act of bullying, and/or
 6. disrupts the orderly operation of a school.
- B. Bullying conduct includes threats, intimidation, physical violence, theft, destruction of property, hazing, stalking (SDCL 22-19A-1), harassment (SDCL 22-19A-4), and threatening or harassing contact by telephone or other communication devices, commonly referred to as cyberbullying (SDCL 49-31-31). Neither the physical location nor the time of day of any incident involving the use of computers or other electronic devices is a defense to any disciplinary action taken by the School District for conduct determined to meet the definition of bullying in SDCL 13-32-15.
1. Hazing defined: any verbal or physical act or acts done on school property or at a school activity which directed toward another person and done for the purpose of initiation into any group, regardless of whether the group is a school sanctioned organization, when the act or acts causes or may create a reasonable risk of causing mental, emotional or physical harm to the person who is the recipient of the act or acts.
 2. Stalking defined: willfully, maliciously, and repeatedly following or harassing another person; making a credible threat to another person with the intent to place that person in reasonable fear of death or great bodily injury; or willfully, maliciously, and repeatedly harassing another person by means of any verbal, electronic, digital media, mechanical, telegraphic, or written communication.
 3. Harass defined: a knowing and willful course of conduct directed at a specific person which seriously alarms, annoys, or harasses the person, and which serves no legitimate purpose.
 4. Threatening or harassing contacts by telephone or other electronic communication device defined: using or knowingly permitting a telephone or other electronic communication device under his or her control for any of the following purposes:
 - (1) to contact another person with intent to terrorize, intimidate, threaten, harass or annoy such person by using obscene or lewd language or by suggesting a lewd or lascivious act,
 - (2) to contact another person with intent to threaten to inflict physical harm or injury to any person or property,
 - (3) to contact another person with intent to extort money or other things of value,
 - (4) to contact another person with intent to disturb that person by repeated anonymous telephone calls or intentionally failing to replace the receiver or disengage the telephone connection.

SECTION 3 – Reporting Procedure

Any individual who believes that he or she has been or is being subjected to bullying or has reason to suspect another person has been or is being subjected to bullying should immediately report it to a teacher or school administrator. The report may be made verbally or in writing. A report may be made anonymously, although disciplinary action may not be based solely on an anonymous report. If disciplinary action is being requested, the individual reporting the bullying will be asked to either submit a signed written complaint or sign a completed Bullying Report Form, Exhibit JFCD-E(1), verifying the accuracy of its content. The written complaint or Bullying Report Form must include the following:

- the date the written complaint was filed or the Bullying Report Form was completed,
- the school employee receiving the complaint (if applicable),
- the name of the person reporting the bullying,
- the address/phone # of the person reporting the bullying,
- the specific conduct or nature of the bullying complaint including the person(s) alleged to have bullied the complaining party or another person, the date(s) and location where the conduct occurred, witnesses, etc.,

- the date the school employee completed the form (if applicable),
- the date and signature of the person reporting the bullying.

If the signed written complaint was given to a teacher, or if the Bullying Report Form was completed by a teacher, the teacher shall forward the complaint or Bullying Report Form to the teacher's building principal.

SECTION 4 – Procedure for Addressing Bullying Complaints

STEP 1: Principal.

Should there be a report which alleges a District student, parent, employee, guest, visitor, volunteer or vendor has been subjected to bullying, an investigation into the alleged bullying will be initiated. The District's investigation may include, but is not limited to, such things as interviewing individuals with actual or possible knowledge regarding the conduct in question, identifying facts related to the conduct in question, identifying when and over what period of time the conduct is to have occurred, determining whether the conduct negatively affects the educational opportunities or employment condition of the victim, identifying prior history of a similar nature by any of the individuals involved, and attempting to obtain possible verification from other persons. The investigation shall be conducted promptly and completed in a reasonable time frame given the nature of the complaint.

The person alleged to have bullied another person will be notified that a complaint has been filed pursuant to this policy and that the complaint is being investigated. The name of the person making the complaint will not be disclosed to the person alleged to have violated this policy unless and until the investigation results in a determination that there is reasonable cause to suspect that bullying did occur.

Upon reasonable suspicion by the school administrator responsible for the investigation that the allegation of bullying may be true, the employee, student or other person accused of bullying conduct shall be notified in writing that reasonable suspicion exists that the complaint may be valid, including a statement of the facts supporting the determination that reasonable suspicion exists, and the name of the alleged victim.

The person alleged to have bullied another person in violation of this policy shall be afforded an opportunity to respond to the allegation of bullying but is not required to submit a response.

Pending the outcome of the investigation the school administrator responsible for conducting the investigation may take such action consistent with school policy and state law as deemed appropriate in order to facilitate the investigation and protect the rights of all persons involved. If there is reasonable suspicion to believe that a person bullied another person while at school or at a school activity on non-school property in violation of this policy, the administration may prohibit that person from being on school property or at school activities.

At the conclusion of the investigation, the Principal shall make a determination as to whether bullying did occur or whether the facts are insufficient to determine that a determination that bullying occurred. The complainant and the person alleged to have bullied another person will receive written notice of the Principal's determination. Should the Principal conclude that bullying did occur, the Principal shall take such action as deemed appropriate, which may include imposing disciplinary consequences on the person found to have violated this policy prohibiting bullying.

STEP 2: Appeal to the Superintendent

The following procedure shall be used to address an appeal of the Principal's decision in Step 1 to the Superintendent:

1. If either party is not satisfied with the Principal's decision, or if the Principal does not render a written decision within fourteen (14) calendar days of the request for a decision on the merits of the complaint, that party may appeal to the Superintendent by filing form JFCD-E(2). The appeal must be filed within ten (10) calendar days of receipt of the Principal's written decision, or ten (10) days of the deadline for the Principal's written decision, whichever comes first. The appealing party must attach the Principal's written decision.

2. Within fourteen (14) calendar days from the date the appeal was filed, the Superintendent shall render a decision in writing. All parties shall receive copies of the decision. The Superintendent shall uphold, reverse, modify the principal's decision, or the Superintendent may refer the matter back to the Principal for further investigation and supplemental decision which decision may restate, modify or reverse the Principal's initial decision. A supplemental decision by the Principal after a referral back to the Principal is subject to appeal to the Superintendent. The time frame for rendering a decision by the Superintendent may be extended by the Superintendent for good cause and upon written notification to all parties, which notification shall identify the reason for the extension and the date on or before which the decision shall be rendered.

STEP 3: Appeal to the Board

If either party is not satisfied with the Superintendent's decision, or if the Superintendent does not render a written decision within fourteen (14) calendar days of the receipt of the appeal, that party may appeal to the School Board by filing with the Business Manager using Form JFCD-E(3) within ten (10) calendar days of receipt of the Superintendent's written decision, or ten (10) days of the deadline for the Superintendent's written decision, whichever comes first. The appeal shall be in writing and the appealing party must attach to the appeal the Principal's written decision, the appeal to the Superintendent, and the Superintendent's written decision or notice of the Superintendent's failure to render a written decision.

The following procedure shall be used by the Board to address an appeal of the Superintendent's decision on the merits related to a bullying complaint:

1. Upon receipt by the Board President/Chairperson of an appeal by the Complainant, a copy of the appeal shall be given to the person alleged to have violated the bullying policy.
2. Upon receipt of an appeal, the Board shall at its next meeting schedule a date, time and location for the appeal hearing.
3. The following procedure shall be applicable at the appeal hearing before the Board:
 - A. The Board shall appoint a board member or a person who is not an employee of the school district as the hearing officer;
 - B. Within thirty (30) calendar days of an appeal being filed with the Board, the Board shall conduct a hearing in executive session;
 - C. The Complainant, person alleged to have violated the bullying policy, and Superintendent each have the right to be represented at the hearing;
 - D. The Board shall make a verbatim record of the hearing by means of an electronic or mechanical device or by court reporter. This record and any exhibits must be sealed and must remain with the hearing officer until the appeal process has been completed;
 - E. The issue on appeal is whether the Superintendent's decision should be upheld, reversed or modified;
 - F. All parties shall be given the opportunity to make an opening statement, with the appealing party being given the first opportunity, followed by the other party, and then the Superintendent;
 - G. The appealing party shall present his or her case first, and the other party 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 board members may ask questions of any witness;
 - H. The Superintendent shall present the basis of his/her decision which led to the appeal. Both parties shall have the opportunity to ask the Superintendent questions. The hearing officer and board members may also ask questions of the Superintendent;
 - I. 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, hearing officer or other person authorized by law to take oaths and affirmations;
 - J. 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).
 - K. All parties shall be given the opportunity to make a closing statement, with the appealing party having the first opportunity, followed by the other party, and then the Superintendent. The appealing party shall be given the opportunity for a brief rebuttal;

- L. After the evidentiary hearing, the Board shall continue to meet in executive session for deliberations. No one other than the hearing officer may meet with the Board during deliberations. The Board may seek advice during deliberation from an attorney who has not represented any of the parties to the hearing. Consultation with any other person during deliberation may occur only if a representative of both parties 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; Within twenty (20) calendar days of the hearing, the 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 both parties and the Superintendent, and the notification shall identify the reason for the extension and the date on or before which the decision shall be rendered;
- M. 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 convene in open session and a motion to uphold, reverse, or modify the Superintendent's decision shall be made and voted upon. Findings of Fact, Conclusions of Law and Decision, consistent with the Board motion shall be in writing and approved by the Board. Both parties, the Principal and the Superintendent will receive copies after the Findings of Fact, Conclusions of Law and Decision are approved by the Board.
- N. Following the Board hearing, should the Board determine there has been a violation of this policy prohibiting bullying, Board action may include but is not limited to the following: (1) suspend or expel a student from any or all school programs, including but not limited to classes, extracurricular activities, or attendance at school activities; (2) pursuant to statute, reprimand, suspend without pay, or terminate the contract of an employee, or (3) prohibit a person from being on school property or at school activities for such time as may be determined by the Board.
- O. If either party is dissatisfied with the Board's decision, that party may appeal the decision by filing an appeal to circuit court pursuant to SDCL 13-46-1.

SEXUAL HARASSMENT POLICY (MS and HS)

The District is committed to a school environment which is free from sexual harassment and conducive to all students' educational opportunities. Sexual harassment can inhibit a student's educational opportunities and an employee's work. Sexual harassment of students attending school in the District or students from other schools who are at a District activity, and sexual harassment of school employees, school volunteers, parents, guests, visitors and vendors of the District shall also not be tolerated and is strictly prohibited.

All students, school employees, school volunteers, parents, guests, visitors and vendors shall conduct themselves in a civil and responsible manner and in a manner consistent with school policies. This policy prohibiting sexual harassment shall apply to all students, school employees, school volunteers, parents, guests, visitors and vendors while on school property, while attending or participating in school activities, on school-owned property or on non-school property, while in any school-owned or leased vehicle, while at a school bus stop, or when in a private vehicle located on school property during school or during school activities.

The District shall investigate all reported instances involving sexual harassment. Attempts to informally or voluntarily resolve the complaint should not delay the commencement of the District's investigation. Unless a different person is designated by the Superintendent to conduct the investigation, the school administrator of the school attendance center where the sexual harassment is alleged to have occurred is responsible for investigating the alleged sexual harassment. Allegations of sexual harassment may also be reported by the administration to other authorities, including but not limited to law enforcement.

The District will maintain confidentiality to the maximum extent possible under the circumstances. However, a person reporting sexual harassing conduct must understand that should the administrator who is investigating the report determine there is reasonable cause to suspect that sexual harassment did occur which could result in administrative discipline or a referral to the School Board, the person alleged to have sexually harassed another

person may have the right to know the identity of the person(s) making the report in order that he/ she may have an opportunity to defend himself/herself.

The District strictly prohibits retaliation against any person because he or she has made a report, testified, assisted, or participated in the investigation of a report of alleged sexual harassment. Retaliation includes, but is not limited to, any form of verbal or physical reprisal or adverse pressure. The person(s) alleged to have sexually harassed another person shall not directly or indirectly (such as through a third person) harass, pressure, or retaliate against any other person because of the complaint being reported. A violation of this provision may lead to separate disciplinary action based on the retaliation. Any person who believes he or she is being subjected to retaliation because of his or her involvement with a sexual harassment report should immediately contact a school administrator.

Students who violate this policy shall be subject to appropriate disciplinary action, up to and including expulsion. Employees who violate this policy shall be subject to appropriate disciplinary action, up to and including termination of employment. School volunteers, parents, guests, visitors, and vendors who violate this policy may be prohibited from being on school property.

Complaints against school employees and complaints related to bullying are addressed through other school district policies and not through this policy.

SECTION 2 – Sexual Harassment Defined

Sexual harassment is defined as sexually oriented words and/or actions which tend to annoy, alarm or be physically or verbally abusive toward another person and which serve no legitimate or valid purpose regardless of the intent of the person accused of the sexually harassing conduct. Not all harassment falls within the definition of sexual harassment (i.e., harassment that is of a sexual nature). Other laws, regulations and policies also prohibit inappropriate conduct and provide a means for addressing inappropriate conduct should it occur.

Sexual harassment is a specific type of harassment which is prohibited under this policy. Examples of sexual harassment include, but not limited to:

1. Unwelcome sexual flirtations, advances or propositions;
2. Verbal comments, jokes, or abuse of a sexual nature;
3. Graphic verbal comments about an individual's body;
4. Sexually degrading words used to describe an individual;
5. Displaying pornographic material;
6. Physical contact or language of a sexually suggestive nature.

SECTION 3 – Sexual Harassment Reporting Procedure

Any individual who believes that he or she has been or is being subjected to sexual harassment or has reason to suspect another person has been or is being subjected to sexual harassment should immediately report it to a teacher, guidance counselor, or school administrator. The report may be made verbally or in writing. A report may be made anonymously, although disciplinary action may not be based solely on an anonymous report. If disciplinary action is being requested, the individual reporting the sexual harassment will be asked to either submit a signed written complaint or sign a completed Sexual Harassment Report Form, Exhibit ACAA-E(1), verifying the accuracy of its content. The written complaint or Sexual Harassment Report Form must include the following:

- the date the written complaint was filed or the Sexual Harassment Report Form was completed,
- the school employee receiving the complaint (if applicable),
- the name of the person reporting the sexual harassment,
- the address/phone # of the person reporting the sexual harassment,

- the specific conduct or nature of the sexual harassment complaint including the person(s) alleged to have sexually harassed the complaining party or another person, the date(s) and location where the conduct occurred, witnesses, etc.,
- the date the school employee completed the form (if applicable),
- the date and signature of the person reporting the sexual harassment .

If the signed written complaint was given to a teacher or guidance counselor, or if the Sexual Harassment Report Form was completed by a teacher or guidance counselor, the teacher or guidance counselor shall forward the complaint or Sexual Harassment Report Form to the teacher's building school administrator.

SECTION 4 – Procedure for Addressing Sexual Harassment Complaints

STEP 1: School Administrator Investigation and Determination.

Should there be a report which alleges a District student, employee, school volunteer, parent, guest, visitor or vendor has been subjected to sexual harassment, an investigation into the alleged sexual harassment will be initiated. The District's investigation may include, but is not limited to, such things as interviewing individuals with actual or possible knowledge regarding the conduct in question, identifying facts related to the conduct in question, identifying when and over what period of time the conduct is to have occurred, determining whether the conduct negatively affects the educational opportunities or employment condition of the victim, identifying prior history of a similar nature by any of the individuals involved, and attempting to obtain possible verification from other persons. The investigation by the school administrator responsible for the investigation shall be conducted promptly and completed in a reasonable time frame given the nature of the complaint. Unless the nature of the complaint and investigation dictate otherwise, the investigation should be completed and determination made by the school administrator on the merits of the complaint within thirty (30) calendar days of receipt of the complaint.

The person alleged to have sexually harassed another person will be notified that a complaint has been filed pursuant to this policy and that the complaint is being investigated. The name of the person making the complaint will not be disclosed to the person alleged to have violated this policy unless and until the investigation results in a determination that there is reasonable cause to suspect that sexual harassment did occur.

Upon reasonable suspicion by the school administrator responsible for the investigation that the allegation of sexual harassment may be true, the employee, student or third person accused of sexual harassment conduct shall be notified in writing that reasonable suspicion exists that the complaint may be valid, including a statement of the facts supporting the determination that reasonable suspicion exists, and the name of the alleged victim.

The person alleged to have sexually harassed another person in violation of this policy shall be afforded an opportunity to respond to the allegation of sexual harassment but is not required to submit a response.

Pending the outcome of the investigation the school administrator responsible for conducting the investigation may take such action consistent with school policy and state law as deemed appropriate in order to facilitate the investigation and protect the rights of all persons involved. If there is reasonable suspicion to believe that a third person sexually harassed a student, employee or guest while at school or at a school activity on non-school property in violation of this policy, the administration may prohibit that person from being on school property or at school activities.

At the conclusion of the investigation, the school administrator shall make a determination as to whether sexual harassment did occur or whether the facts are insufficient to determine that a determination that sexual harassment occurred. The complainant and the person alleged to have sexually harassed another person will receive written notice of the school administrator's determination. Should the school administrator conclude that sexual harassment did occur, the school administrator shall take such action as deemed appropriate, which may

include imposing disciplinary consequences on the person found to have violated this policy prohibiting sexual harassment.

STEP 2: Appeal to the Superintendent

The following procedure shall be used to address an appeal of the school administrator's decision in Step 1 to the Superintendent:

1. If either party is not satisfied with the school administrator's decision, or if the school administrator does not render a written decision within fourteen (14) calendar days of the request for a decision on the merits of the complaint, that party may appeal to the Superintendent by filing form ACAA-E(2). The appeal must be filed within ten (10) calendar days of receipt of the school administrator's written decision, or ten (10) days of the deadline for the school administrator's written decision, whichever comes first. The appealing party must attach the school administrator's written decision.
2. Within fourteen (14) calendar days from the date the appeal was filed, the Superintendent shall render a decision in writing. All parties shall receive copies of the decision. The Superintendent shall uphold, reverse, modify the school administrator's decision, or the Superintendent may refer the matter back to the school administrator for further investigation and supplemental decision which decision may restate, modify or reverse the school administrator's initial decision. A supplemental decision by the school administrator after a referral back to the school administrator is subject to appeal to the Superintendent. The time frame for rendering a decision by the Superintendent may be extended by the Superintendent for good cause and upon written notification to all parties, which notification shall identify the reason for the extension and the date on or before which the decision shall be rendered.

STEP 3: Appeal to the Board

If either party is not satisfied with the Superintendent's decision, or if the Superintendent does not render a written decision within fourteen (14) calendar days of the receipt of the appeal, that party may appeal to the School Board by filing with the Business Manager using Form ACAA-E(3) within ten (10) calendar days of receipt of the Superintendent's written decision, or ten (10) days of the deadline for the Superintendent's written decision, whichever comes first. The appeal shall be in writing and the appealing party must attach to the appeal the school administrator's written decision, the appeal to the Superintendent, and the Superintendent's written decision or notice of the Superintendent's failure to render a written decision.

The following procedure shall be used by the Board to address an appeal of the Superintendent's decision on the merits related to a sexual harassment complaint:

1. Upon receipt by the Board President/Chairperson of an appeal by the Complainant, a copy of the appeal shall be given to the person alleged to have violated the sexual harassment policy.
2. Upon receipt of an appeal, the Board shall at its next meeting schedule a date, time and location for the appeal hearing.
3. The following procedure shall be applicable at the appeal hearing before the Board:
 - A. The Board shall appoint a board member or a person who is not an employee of the school district as the hearing officer;
 - B. Within thirty (30) calendar days of an appeal being filed with the Board, the Board shall conduct a hearing in executive session;
 - C. The Complainant, person alleged to have violated the policy, and Superintendent each have the right to be represented at the hearing;

- D. The Board shall make a verbatim record of the hearing by means of an electronic or mechanical device or by court reporter. This record and any exhibits must be sealed and must remain with the hearing officer until the appeal process has been completed;
- E. The issue on appeal is whether the Superintendent's decision should be upheld, reversed or modified;
- F. All parties shall be given the opportunity to make an opening statement, with the appealing party being given the first opportunity, followed by the other party, and then the Superintendent;
- G. The appealing party shall present his or her case first, and the other party 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 board members may ask questions of any witness;
- H. The Superintendent shall present the basis of his/her decision which led to the appeal. Both parties shall have the opportunity to ask the Superintendent questions. The hearing officer and board members may also ask questions of the Superintendent;
- I. 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, hearing officer or other person authorized by law to take oaths and affirmations;
- J. 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).
- K. All parties shall be given the opportunity to make a closing statement, with the appealing party having the first opportunity, followed by the other party, and then the Superintendent. The appealing party shall be given the opportunity for a brief rebuttal;
- L. After the evidentiary hearing, the Board shall continue to meet in executive session for deliberations. No one other than the hearing officer may meet with the Board during deliberations. The Board may seek advice during deliberation from an attorney who has not represented any of the parties to the hearing. Consultation with any other person during deliberation may occur only if a representative of both parties 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. Within twenty (20) calendar days of the hearing, the 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 both parties and the Superintendent, and the notification shall identify the reason for the extension and the date on or before which the decision shall be rendered;
- M. 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 convene in open session and a motion to uphold, reverse, or modify the Superintendent's decision shall be made and voted upon. Findings of Fact, Conclusions of Law and Decision, consistent with the Board motion shall be in writing and approved by the Board. Both parties, the school administrator and the Superintendent will receive copies after the Findings of Fact, Conclusions of Law and Decision are approved by the Board.
- N. Following the Board hearing, should the Board determine there has been a violation of this policy prohibiting sexual harassment, Board action may include but is not limited to the following: (1) suspend or expel a student from any or all school programs, including but not limited to classes, extracurricular activities, or attendance at school activities; (2) pursuant to statute, reprimand, suspend without pay, or terminate the contract of an employee, or (3) prohibit a third person from being on school property or at school activities for such time as may be determined by the Board.
- O. If either party is dissatisfied with the Board's decision, that party may appeal the decision by filing an appeal pursuant to law.

The Deuel School District recognizes its duty to promote the health and safety of students, staff and citizens on district property and during school-sponsored activities. In accordance with this responsibility, it is the intent of the School Board to establish a tobacco-free school environment that demonstrates a commitment to helping students resist tobacco use and that emphasizes the importance of adult role modeling.

The use, possession, or promotion of tobacco on school property by students, employees, vendors, visitors and invitees is prohibited. Students and employees are also prohibited from using or promoting tobacco at school-sponsored activities off school property. Students participating in school activities are also subject to such rules as may exist pursuant to an applicable activity code of conduct.

For the purposes of this policy:

1. "Tobacco" means any substance or item, in any form, containing tobacco and electronic nicotine delivery devices (e-cigarettes/**vapes**), which may not contain tobacco;
2. "School property" means all district-owned, rented or leased buildings, grounds and vehicles;
3. "School-sponsored activity" means any planned, organized, endorsed, or supervised activity involving district students or staff that occurs either before, during or after regular school hours;
4. "Promotion" means the use or display of tobacco-related clothing, bags, lighters, or other material that is designed to encourage the acceptance or use of tobacco.

District employees in violation of this policy will be subject to disciplinary action. Visitors, vendors and invitees in violation of this policy will be subject to appropriate consequences, which may include being directed to leave school property.

The superintendent shall provide reasonable public notification of the district's policy within student and staff handbooks.

ALCOHOL AND OTHER DRUG USE (MS and HS)

The school years are among the most important in human development and the most vulnerable. Any substance that can interfere with the development of an adolescent must be evaluated as to its impact to both the young person and the community. Psychoactive and mood altering drugs can destroy the health and wellbeing of an individual. The school defines drug use as a serious health problem and is committed to discouraging this behavior and to encouraging young people to seek help should a problem arise.

The following document outlines policy on student abuse of psychoactive or mood altering chemicals in the Deuel School District. This policy is in effect on property owned or leased by the Deuel School District, at all school sanctioned activities on and off campus, on vehicles parked on school property. The Deuel School District will refer each case to the appropriate authorities.

Student members of the school community are expected to be aware of and understand these policies and comply with them. Parents are expected to be aware of and understand these policies and cooperate with the administration of them.

A student shall not possess, use, transfer, conceal, sell, attempt to sell, deliver nor be under the influence ("under the influence" is defined as manifesting signs of chemical use/misuse such as staggering, odor of chemicals on breath of person, reddened eyes, nervousness, restlessness, falling asleep, memory loss or inappropriate behavior.) of narcotics drugs, or alcohol or use chemical substances which can affect psychological functioning or affect the education system of the school. Students shall not engage in drug use/abuse nor possess paraphernalia in specific to the use of chemicals.

Students who use prescription drugs authorized by a licensed physician do not violate this policy if the students conform to the appropriate school policies.

The following procedures will be followed in dealing with possession, use, transmission, or being under the influence of chemicals:

1st violation

- a. The principal will notify the parent(s)/guardian(s) by phone to explain the incident and arrange a conference.
- b. The principal will suspend the student for five (5) days in compliance with student due process procedures.
- c. Within twenty-four (24) hours, the principal will notify the parent(s)/guardian(s) in writing of the suspension.

The Deuel School District strongly recommends that students with chemical abuse problems seek professional evaluation and treatment from a trained chemical dependency counselor or a licensed physician trained in chemical dependency. Because we believe that chemical dependency is preceded by misuse, we feel confident that such early intervention can benefit the student before significant harm or dependency results.

The suspension of a student who agrees to be evaluated and treated will be commuted to two (2) days. The school will provide a list of agencies/professionals who can do the assessment and provide treatment. The choice of agency/professional is left to the student and family. Fees for this assessment and treatment are the responsibility of the student and family.

Upon receipt of appropriate authorization, the agency or professional will notify the school principal that the student is willing to be evaluated and comply with the treatment process.

2nd and subsequent offenses:

- a. The principal will contact the parent(s)/guardian(s) to arrange a conference.
- b. The principal will suspend the student for ten (10) days in compliance with student due process procedures.
- c. Within twenty-four (24) hours, the principal will notify the parent(s)/guardian(s) in writing of the suspension.
- d. The principal will recommend to the superintendent that the student be expelled unless the following procedure is followed:
 1. The student must agree to be evaluated and treated by a trained chemical dependency counselor or a licensed physician trained in chemical dependency.
 2. Upon appropriate authorization, the agency or professional notifies the school principal that the student has accepted treatment. If the student is accepting treatment, the recommendation for expulsion may be commuted.

Supplying/Sale of Chemical (Drugs/Alcohol) or Material Represented to be a Controlled Substance:

- a. Within twenty-four (24) hours, the principal will notify the parent(s)/guardian(s) in writing of the suspension.
- b. Supplying or selling of chemicals will result in a ten (10) day suspension. The principal will recommend to the superintendent that the student be expelled in compliance with student due process procedures.
- c. The principal will refer the case to the police.
- d. A hearing on the case conducted by the superintendent will be held. Based upon the results of this hearing, the superintendent may recommend expulsion to the Board of Education.

ALTERNATE INSTRUCTION REQUIREMENTS (MS and HS)

The parent, guardian, or other person in control of a child being provided alternative instruction shall submit proof of age when participating in athletics, fine arts, or activities. Any child being provided with alternative instruction and participating in South Dakota High School Activities Association activities shall be held to the same local training rules and South Dakota High School Activities Association transfer and non-academic eligibility rules as enrolled students. Pursuant to § 13-27-3 and before the current season of the sport or activity the alternative instruction child is participating in, the parent, guardian, or other person in control of a child being provided alternative instruction shall provide the appropriate school official with a copy of a transcript of the previous semester's completed coursework that is issued by the parent, guardian, or other person in control of the child. The parent, guardian, or other person in control of a child being provided alternative instruction shall notify the appropriate school official if the child becomes ineligible under South Dakota High School Activities Association or local school rules in so far as those standards apply to § 13-27-3. Nothing in this section confers any vested right in any student wishing to participate in any interscholastic activity to be selected for competition in such activity. However, any enrolled student who leaves an accredited program during the course of the school year and who will be provided alternative instruction is ineligible for participation in interscholastic activities for the balance of the current season of the sport or activity the student is participating in at the time of notification of alternative instruction.

STUDENT INTERVIEW POLICY

POLICE / DEPARTMENT OF SOCIAL SERVICES (MS and HS)

When students are at school or involved in a school activity off school grounds, the school has an obligation to the students, the parents, as well as to authorities such as law enforcement and the Department of Social Services. This policy attempts to balance the rights of students and parents with the rights and responsibilities of law enforcement and the Department of Social Services as those entities investigate juvenile delinquency/criminal matters and matters of child abuse and neglect. It is therefore the policy of the District that:

1. Should a law enforcement officer wish to talk with a student under the age of 18* while the student is at school and interview the students for a reason other than investigating suspected child abuse or neglect, the District will cooperate with all law enforcement agencies and allow them to interview your child. The District will make every attempt to notify you that your child is being interviewed.
2. Should the Department of Social Services or a law enforcement office be investigating suspected child abuse or neglect and wish to talk with a student under the age of 18* while the student is at school, the request to talk with a student shall be in writing and given to the school. The written request shall include the name of the person making the request, date of request, date of interview, and that the request is made for the reason of investigating suspected child abuse or neglect. The law in South Dakota requires investigation of suspected child abuse to be kept confidential and can be done without notification to parents. Therefore, the school will not notify parents of a request by the Department of Social Services or law enforcement to talk with a student in such instances.

*Upon the student reaching the age of 18, the student is a legal adult and has the authority to make decisions without parental involvement. However, the student, even if age 18 or older, may choose to contact his/her parents for advice before responding to a request by the authorities to meet with and talk to law enforcement and/or the Department of Social Services.

LOCKERS/STUDENT VEHICLES (MS and HS)

Each student will be assigned a locker. In rare cases it may be necessary for two students to share the same locker. At the end of the year, the student will be responsible for the locker that was assigned to them in the fall. If for some reason the student wants to change locker assignments, it must be reported to the principal's office. Students are urged not to leave money, jewelry, or anything of value in their lockers, clothing or desks. If you do so, you do so at your own risk. The school cannot be responsible if such things disappear. All lockers are loaned to students and the school retains control of the lockers. Since the school retains control of the lockers, they may be inspected anytime there is reasonable suspicion that the student has something in the locker that is against school rules or state law. The District also reserves the right to cut or otherwise remove a lock from a locked locker. The same principle applies to the cars that are parked on school

property. Students are not to open the locker of another student unless expressed permission is given from that student to do so. It is recommended that students take sufficient books, supplies, etc. with them for more than one class so that locker stops between classes are not necessary.

SEARCHES (MS and HS)

Safety is a major concern of the administration. The administration reserves the right to search students, student belongings, lockers and vehicles.

DRIVING MOTOR VEHICLES (MS and HS)

Students who drive regularly to school are to park **in the south parking lot of the school**. Students will not be permitted to use cars during the school day or noon hour, unless they secure permission from the administration. If permission to drive is not secured from the administration, it will be considered as skipping school. The administration will use their discretion for punishment. The purpose of this regulation is to promote safety and to protect both parents and students. The courthouse parking area is not to be used by students. Violators may be given a ticket. Please cooperate with the county officials accordingly. Reminder, vehicles on school property and surrounding area may be subject to random searches. Illegal substances/items of any kind are not permitted on school grounds, including but not limited to tobacco, alcohol, weapons and/or munitions, and drugs.

NATIONAL HONOR SOCIETY SELECTION PROCESS (HS)

Selection to National Honor Society is an honor recognized throughout the nation. Selection to NHS is a privilege, not a right. Students who are members of NHS have met high standards of scholarship, leadership, service, and character. It is assumed that they will strive to maintain these high standards. Students do not apply for membership in the National Honor Society; instead, they provide information to be used by the local selection committee to support their candidacy for membership. Membership is granted only to those students selected by the Faculty Council. The Faculty Council consists of five faculty members selected by the high school principal. The NHS advisor is not a voting member of the Faculty Council. The following procedures will be followed in selecting members for National Honor Society:

- 1) Prospective members may be sophomores, juniors, or seniors with a cumulative grade point average of at least 3.5.
- 2) Students meeting the GPA requirement at the end of the fall semester will be invited to submit an information form to assist the Faculty Council in making their selections.
- 3) Any eligible student who does not submit an information form will not be considered for membership at that time.
- 4) The Faculty Council will meet as a group to consider each student's qualifications on the basis of service, leadership, and character. Each member of the Faculty Council vote on the individual qualifications of each prospective member.
- 5) Selection to NHS is by majority vote of the Faculty Council
- 6) Students who are not accepted for membership may be considered for membership the following year as long as the GPA requirements are met and a new information form is submitted.
- 7) As stated membership is a privilege and can be revoked, by vote of the committee, for conduct unbecoming to the National Honor Society.

STUDENT COUNCIL (HS)

The purpose and function of the Deuel High School Student Council is establishing better relations between faculty and students, to provide for student participation in school activities, to coordinate the activities of the school and to develop in the students a sense of personal responsibility. The Student Council shall be made up of a student president, vice-president, and secretary/treasurer - elected by all students, and representatives from each class. Each senior high student running for president, vice-president, secretary/treasurer for the Student Council must pick up a petition in the guidance office and have 20 9th through 11th grade students sign it. After all petitions have been turned in to the guidance office, an election will be held with 9th through 11th grades voting. This will be done in the spring of the year.

CLASS OFFICERS (HS)

Each of the classes shall organize for the purpose of carrying on their functions and social activities. Each class will choose officers in the fall of the year. A complete record of all class meetings and a class roll and a financial statement shall be kept by the secretary or treasurer of the class. This will be done in a class record book that may be picked up in the principal's office at the beginning of the year. At the end of each year this book must be returned to the office for safe keeping. The administration will appoint faculty members to be advisors for each class. Class meetings may be called by the class president with permission from the advisors and the principal with at least two days' notice.

MEDICATION ADMINISTRATION (MS and HS)

The safe and effective use of medications for the treatment of illness and disability has enabled many children to attend school. At Deuel School, every effort should be made to administer all medications at home. When it is necessary that students receive medications at school, arrangements need to be made with the school nurse.

For students grades 9-12, two options exist for medication administration in the school setting:

#1 - - Supervised administration: This option allows the Deuel School personnel to supervise the administration of the medication prescribed for the student. Because the law requires the nurse to have an order from a physician in order to administer medications (including over-the-counter medications, such as Tylenol), it is important for students and parents to plan ahead when medication at school is anticipated. For example, arranging medication needs in advance, for conditions such as migraine headaches or menstrual pain, will help the school nurse keep students safe and comfortable at school.

#2 - - Self administration: This option allows the student to bring one day's dose of the medication to school and self-administer the medication. This option is not available for controlled substances (ex. Ritalin). Self-management privileges are lost if the student does not use medication properly or responsibly.

LUNCH PERIOD (MS and HS)

All students in grades six through eleven are expected to remain on campus during lunch break and students are required to be in the cafeteria during their assigned lunch period. Students are not to be in other parts of the building or parking lot during their lunch break. Parents may not call students out for lunch.

Seniors have open campus during lunch if they have met the requirements for senior privileges.

STUDY HALLS (HS)/LEARNING LABS (MS)

Students who choose not to participate in band or chorus will have study halls (HS) or learning labs (MS) throughout their day. Students will have the opportunity to have a study hall or learning lab the last period of their day if they are not in band or chorus. Students are not allowed to be called out for that period unless they have an appointment or valid reason for being absent.

PASSES (MS and HS)

Students are not permitted in the halls during class periods unless they are accompanied by a teacher or have a hall pass from a staff member. Students are responsible for obtaining the written pass. During the class period, students are not to be anywhere in the building except in their classes unless they have a pink pass. Teachers should not permit students to leave their classes without issuing them this pass. The teacher signing the pass is assuming responsibility for the student until the student returns. Passes will be the following types:

1. Passes for less than a full period to a specific area
2. Passes to leave the school grounds will be issued ONLY by the principal's office
3. All students with passes must turn them back in before the end of the period

and check back into the classroom.

4. Passes to the offices may be granted by the teacher if there is a good reason for doing so. Students should use this pass and all others responsibly.

BUS REGULATIONS (MS and HS)

By the authority of the Board of Education of Deuel School District, a student is entitled to ride the school bus provided that he or she adheres to the safety rules. In the interest of safety, a student will be reported in writing to the principal for continued or willful disobedience of the following safety regulations and may be suspended from riding the bus for a period of time to be determined by the administration. During inclement weather, it is the responsibility of you, the parent, to see that your child is properly clothed to withstand the weather conditions in case of mechanical problems with the bus.

We take this means to outline the basic responsibilities of your child while riding the Deuel School District bus:

- a. Obey the bus driver
- b. Students are not allowed to -
 - 1) Bring candy or other food items on the bus except lunches
 - 2) Put arms, head, or legs out the windows
 - 3) Use any profane language
 - 4) Throw any objects from the bus windows
 - 5) Leave their seats while the bus is in motion
 - 6) Strike, push or otherwise abuse another pupil while riding the bus
 - 7) Be excessively noisy while riding the bus
 - 8) Push while standing in line to board the bus
 - 9) Board or leave the bus except at their regularly scheduled bus stop without written permission from the parent
- c. No students will be allowed to ride the school bus unless they are registered to that particular bus unless permission has been granted by the administration.
- d. Students are expected to enter and leave the bus in an orderly fashion.
- e. Students are to be absolutely silent while the bus is approaching and proceeding across any railroad crossing.
- f. If it is necessary to cross the road after leaving the bus, students are to cross ten feet in front of the bus after receiving a clear signal from the driver and all approaching traffic has stopped.
- g. Students are to report promptly to their principal when instructed to do so by their driver.
- h. Students shall observe classroom conduct while riding the school bus. Treat bus equipment as you would valuable furniture in your own home. Damage to seats, windows, etc. must be paid for by the offender.

Consequences for bus infractions:

1. The first reported incident from the bus driver, transportation manager, or the principal will result in a call from the principal referring to the infraction. A verbal warning will be given.
2. The second reported incident will result in the loss of bus privileges for 5 days. The principal will contact the student and the parents/guardians.
3. The third reported incident will result in the loss of bus privileges for the remainder of the school year. The principal will again make contact to the student and the parent/guardian.

Please note: If a child is not to ride the bus home from school or activities or is to ride a different bus a phone call to the office is necessary by 2:00 P.M.

DANCES (MS and HS)

School dances must be authorized. The Student Council, along with their advisor may plan a series of school, class, or organization parties. The following applies to these parties:

- a. The party must be planned by an organization under the direction of advisors, and the advisors will serve as chaperones.
- b. Permission to hold the party must be obtained a week in advance from the principal.
- c. Other dates (**grades 9-12**) must have registered in the principal's office **by the required date listed on the sign-up sheet**. Out of town dates are not permitted at the MS level.
- d. The sponsoring group must clean up the auditorium (or wherever the party is being held) immediately after the party.
- e. Any contracts must be signed or approved by the principal.
- f. Once a student has attended a party and leaves the party, he or she will not be permitted to return to the party. The only exception to this will be where permission to leave and return has been granted by the supervisor prior to leaving the party.
- g. Before purchasing supplies for a party, you **MUST** secure a purchase order number from the business office and it is to be signed by the principal.
- h. There will always be an appropriate number of adults at the function to act as chaperones, along with the school personnel.
- i. No outside containers are allowed.
- j. The adult(s) and/or supervisor(s) reserve the right to refuse admittance of any student, date or alumni.

STUDENTS INDEBTED TO THE SCHOOL (MS and HS)

Report cards for students indebted to the school for breakage, fees, lost books, mutilated equipment, music supplies and rentals, etc. are not given until such indebtedness is paid. Slips designating the amount due and the department to which the individual is indebted may be secured from the business office. If these are not paid by the beginning of the ensuing school year, students will not be able to register for classes.

INTERNET USAGE - DEUEL SCHOOL DISTRICT ACCEPTABLE USE AGREEMENT (MS and HS)

Rules of Appropriate Computer Use

- Do not use the computer to harm other people or their work
- Do not damage the computer or the network in any way
- Do not interfere with the operation of the network by installing any software unless approved by administration
- Do not violate copyright laws
- Do not view, send or display offensive messages or pictures
- Do not trespass in another's folders, work or files
- Do not change system configuration
- Do not leave computer unattended
- Always use assigned computer bag to transport computer

Failure to follow these rules will result in suspension of computer privileges up to 30 days. Also, any accidental or intentional damage to the computer or network will be billed out to the student/parent as outlined in policy. If student owes money to the school district, the computer may be taken away until the amount is paid. **BE PREPARED** to be held accountable for your actions and for the loss of privileges if the Rules of Appropriate Use are violated.

Internet

The Internet is a global electronic information infrastructure, a network of global networks. Because the Internet is a constantly changing electronic environment, the information available to users is constantly changing, and therefore, it is

impossible to predict with certainty what information users might locate. The School District shall make every effort to restrict access to inappropriate materials; however, it is impossible to control all materials on a global network. This networking environment requires that the user be responsible for the appropriate use of this service. Therefore, the District shall not be liable for the content or viewing of any materials not prepared by the District. Availability of some materials on the Internet does not indicate endorsement of their content by the Deuel School District. The following rules apply to the use of the Internet:

- Be polite and use appropriate language in your messages to others. Obscene, abusive, sexually explicit or threatening language will not be tolerated.
- Never reveal your, or anyone else's personal information.
- Only State K-12 Students E-mail accounts are allowed unless permission is given by administration.
- You are prohibited from accessing, uploading, downloading, distributing, viewing or possessing any pornographic, obscene, or sexually explicit material and web sites that promote racism or religious intolerance.
- You and not the Deuel School District are responsible for possession of any and all materials, and for your actions with the use of the Internet.
- You must abide by and all local, state and federal rules and regulations.
- You are responsible for any action, artifice or scheme to defraud or obtain money, property, services and other things of value by false pretenses, promises or representations while using this access.
- Develop web pages only as directed by staff members to fulfill course or school related activities;
- Access is a privilege - not a right.
- Only files relating to classroom assignments may be stored on the network file sever

Any violation of District Internet policy or rules may result in loss of computer privileges for up to 30 days. Additional disciplinary action may be imposed and will be determined on an individual basis in keeping with existing practices and procedures regarding inappropriate language or behavior. When applicable, law enforcement agencies may become involved. The Deuel School District makes no warranties of any kind, either expressed or implied, for the Internet access it is providing. The District will not be responsible for any unauthorized financial obligations resulting from the use of this account.

Network

The use of the School District's network (LAN) and Intranet is a privilege, not a right. Guidelines are provided to make all users aware of the responsibilities associated with efficient, ethical and lawful use of network resources.

The School District does not guarantee that the network will be uninterrupted or error free; nor does it make any warranty as to the results to be obtained from use of the service or the accuracy or quality of the information obtained on or by the network. Access to the network is provided on an "as is" basis without warranties of any kind. Neither the School District nor any of its agents or employees shall be liable for any direct, indirect, incidental, special or consequential damages arising out of the use of or inability to use the network or out of any breach of any warranty.

User Accounts

User accounts are considered the property of the Deuel School District. The School District expressly reserved the right, at any time, to log, monitor and review, the subject, content and appropriateness of electronic communications or other computer files and remove them if warranted, reporting any violation to the school administration or law enforcement officials.

Persons, using the District network, shall have no expectation of privacy or confidentiality in the content of electronic communications or other computer files sent and received on the District network.

Bring Your Own Device

Students bringing personal devices to school may or may not be allowed on the District's network. Student's that bring personal devices to school are not allowed to have Mobile Hotspots.

Rules of Network Use

Users of the School District Network shall:

- Be responsible for all use of the network under their accounts and user names, regardless of whether access is gained with or without the person's knowledge and/or consent;
- Use only your own account. You may not access any other person's material, information, or files without their permission;
- Immediately notify the School District if they suspect any unauthorized use of their account. The person shall remain liable and responsible for any unauthorized use until the School District is notified of the suspected unauthorized use and has a reasonable opportunity to act upon such notice;
- Not harm or destroy in any way, the data of another user, including the uploading of, or the creation of computer viruses to any computer;
- Do not transmit, download, access or place unlawful information, any abusive, defamatory, obscene, profane, sexually explicit, threatening or illegal material on the network;
- Not use the District network to solicit sales or conduct business;
- Do not transmit copyrighted material without the express consent or authorization of the owner of the copyrights.
- Any sites that are deemed bandwidth intensive some as streaming music for streaming video or any other sites defined by the Deuel School District are not allowed for personal use.
- During school hours, school owned devices are only allowed to connect to school WiFi Network. Wireless connections to other non-school WiFi networks (including Hotspots) is prohibited unless approved by administration or network administrator.

Network Security

Security of all networks connected to the Deuel School District is a high priority. Anyone observing a security problem on the District network shall notify District personnel. Any person identified as a security risk or having a history of problems with other computer systems may be denied access to the District network.

Any violation of District policy on network use may result in loss of privileges to the network or computer devices for up to 30 days. Access to the School District network may be denied, and the appropriate disciplinary action shall be applied. The School District's discipline policy shall be applied to student infractions.

EDUCATION OF MINORS/INTERNET PROTECTION (MS and HS)

The Children's Internet Protection Act (CIPA) is a federal law enacted by Congress to address concerns about access to offensive content over the Internet on school and library computers. The Deuel School District uses various resources to protect its K-12 students. The District adopted the CommonSenseMedia.org curriculum in 2011 for grades K-8. This curriculum satisfies all criteria for E-Rate compliance and is aligned to national standards for ISTE (International Society for Technology in Education), AASL (American Association of School Librarians), and the ELA (English Language Arts) Common Core. The students 9-12 along with their parents receive a yearly CIPA seminar in conjunction with our laptop rollout where students and parents can ask questions and receive information on best practices.

ADMISSION TO EVENTS

Admission Students: \$3.00 single, \$3.00 doubleheader

Adults: \$5.00 single, \$6.00 doubleheader

Senior Citizen over 60: \$3.00 single, \$3.00 doubleheader

Adult Activity Tickets
20 punches Adults \$60.00
Annual Pass Adult \$90.00

Students Activity Fee:

All students grades 4-12 will pay a mandatory student activity fee in the amount of \$10.00 (maximum \$20.00 per family.) The student activity fee will allow admission to all Deuel School sponsored home activities (does not include post-season events sponsored by the SDHSAA.) Students in grades K-3 accompanied by a parent or guardian will not be charged admission to Deuel School sponsored events.

ATHLETICS/ACTIVITIES (MS and HS)

Local Requirements:

All participants in extra-curricular activities must maintain passing grades in all areas **including dual credits**. Grades will be reviewed **at the start of each week**. Any student that receives a failing grade at a grade check will be notified and become ineligible starting **that Monday**. Students will remain ineligible for one week. If a student has all passing grades at the next immediate grade check they will become eligible the following Monday for activities.

Students enrolled in customized or self-paced classes will be expected to maintain a pace in which they can complete the course within the scheduled time frame of the course (i.e. semester or year). Students who are more than two weeks behind the established (teacher) pace will receive an incomplete for a class during a grade check period. A student receiving an incomplete will be ineligible until a passing grade is reported to the office by the instructor of the class. Once a passing grade has been reported to the office, the student will become eligible.

Extra Help sessions will be available on Fridays from 10:00-12:00 or by special arrangement between students and individual staff members, to students wishing to utilize the service. The intent of these sessions is to provide assistance to students to help them stay current with coursework or help them to comprehend difficult material.

The student is ultimately responsible for their academic performance. The school will make every effort to assist the student in this endeavor; however, it is the student's responsibility to take advantage of the services being offered.

S.D.H.S.A.A. Requirements:

To see SDHSAA requirements follow this link:

<http://www.sdhsaa.com/Portals/0/PDFs/Handbook/Athletics/3-ConstitutionByLaws.pdf>

Deuel High School is a member of the South Dakota High School Interscholastic Activities Association and the school abides by its regulations.

PARTICIPATION IN ACTIVITIES (MS and HS)

Any team member that participates in an event as an individual will be excused from that team for the remainder of that season, unless it has previously been arranged by the coach and administration.

NOTE: All student athletes should be aware that participation in an All-Star Basketball or Football Game that is not sanctioned by the SDHSAA could cause you to be ineligible at NCAA colleges and universities your freshman year, consult your coach, athletic director or principal for further information.

Consult your coach or principal for additional information.

DUAL ATHLETIC PARTICIPATION GUIDELINE (MS and HS)

1. Athletic Rules – **Participation in two sports during the same season is highly discouraged and requires a meeting and written agreement from coaches involved, parents, and Athletic Director.**

*****A student will be allowed to miss a maximum of two school days during an academic week.**

CO-CURRICULAR ACTIVITIES RULES FOR PARTICIPATION (MS and HS)

Uniform rules for ALL activities for Deuel High School are the following: Students are reminded that this activities policy runs from the start of fall practices to the midnight of the second day of the state golf meet. Certified school employees, non-certified school employees, law enforcement personnel, parents, or student confessions must be sources used for reporting these students. Deuel School District feels it is a privilege to be a member of our extra-curricular teams. With this privilege come a responsibility to be a dedicated, disciplined, and a contributing team player. Deuel School District's Rules for Participation reflect a low tolerance for students who use tobacco, alcohol, and drugs.

1. Suspension from classes for other disciplinary reasons
 - a. Students who are suspended from classes for other disciplinary reasons are ineligible to participate in any activities during that suspension.
2. Smoking/**Vaping** or use of drugs, alcohol, or tobacco; stealing; and/or destruction of property
 - a. If seen by certified or non-certified school employees; either on or off school premises
 - b. If reported by law enforcement personnel
 - c. If reported by the parent/guardian of student
 - d. If admitted by the student

Participants of extra-curricular activities shall not use, or have possession of, alcohol, tobacco, or participate in stealing, and/or destruct property during the stated timeframe regardless of quantity. Students violating this standard shall be suspended from participation in the activity in which he/she is a member.

The student will miss the next two (2) performances of an activity/activities starting with the next performance after the violation. Students will also be placed on a probationary period until midnight of the second day of the state golf meet. If a student has a 2nd offense during the probationary period, he/she will be suspended from participation for six (6) performances of an activity/activities starting with the next performance. If a student has a 3rd offense during the probationary period, he/she will be out of all activities for one (1) full year from the third infraction date. If a student has further infractions, the student will be out of all activities for one year from the last infraction date. If a student has no infraction during the probationary period, the student will start over with the process at the end of the probationary period (midnight of second day of state golf meet).

Law enforcement will contact a Deuel administrator on a year-round basis. Students and parents will be notified at the time of the infraction as to the 1st or 2nd offense and what the consequences will be. The Deuel School District recommends to parents that they seek professional counseling for their child. School counselors are available if parents and/or students need of or desire this service.

3. Students convicted of drug use are barred for one year from school sports and extra-curricular activities sanctioned by the South Dakota High School Activities Association. This association bans high school students from extra-curricular activities for using, possessing or selling drugs. High school students with a second drug offense are barred permanently from such activities. Deuel School District will follow these rules as set by the South Dakota High School Activities Association. A student will be barred for one (1) year from participation in all activities for using, possessing, or selling drugs. A student with a second drug offense will be permanently barred from all activities at Deuel School District.
4. Curfew during the season
 - a. Suggested curfews for participants of extra-curricular activities shall be home by 11:00 p.m. on week-nights or nights preceding a school day, usually Sunday-Thursday. On weekends they may be out until 1:00 a.m. The coaching staff of each particular activity may adjust these hours.
5. School bus facilities provided for attendance by spectators and participants are

required to travel by school bus.

a- All participants arriving by bus to an activity must leave the activity by bus or with a parent only. Failure to do so may result in:

- 1) Spectator or participant will not have access to school provided transportation thereafter for the rest of the year
 - 2) Participants in the activity will be dropped from the activity for the rest of the year
6. Absence day of an activity or activity practice
- a. All participants of extra-curricular activities must be here at least half of the day (any combination of 4 class periods of the school day constitutes a half day) of an activity unless prior approval is obtained from the principal.
 - b. Students must check in with all teachers prior to leaving for an activity when a student knows in advance that they will be gone. If work required to be completed is not completed prior to leaving, it is the teacher's discretion to allow or disallow credit for the work
7. All practices and meetings for students during weekends and vacation must have prior approval from principals.
8. If school has been called off because of weather, there are to be no extra-curricular activities and/or practices. Whether or not to hold practice on a day school has been released early due to weather will be at the discretion of the administration.

ACTIVITY PRACTICE TIMES (HS)

Morning practices will not begin before 6:00 a.m. For evening practices, the quitting time will not be later than 10:30 p.m. No weekend practices unless approved by the administration.

When school is dismissed early (due to teacher in-service), students are not to be in the school building until 2:30 (Unless a coach is present).

CHURCH NIGHT (MS and HS)

Wednesday evening has been set aside as church night. Every effort will be made by school authorities to avoid scheduling school activities on Wednesday night. This will allow students to participate in the youth activity programs in the church of their choice.

INSURANCE (MS and HS)

The school makes insurance available to all grade and high school students. It is not compulsory except for boys or girls out for athletics; however, it is recommended for all students, particularly for children who drive or ride in automobiles to and from school. No profit is made in the program by anyone connected with the school.

STUDENT POLICY FOR A GUN-FREE SCHOOL (MS and HS)

Student and employee safety is a paramount concern to the Deuel School Board. With this in mind, the school board shall assist and cooperate with teachers and administration in the government and discipline of the school. The board may suspend or expel from school any student for violation of rules, policies, insubordination or misconduct and administration may temporarily suspend any student in accordance with SDCL 13-32-4.2. The rules on policies may include prohibiting the following:

- (1) The use or possession of a firearm, as provided in SDCL 13-32-7, on or in any elementary or secondary school premises, vehicle or building that is owned, leased or used for elementary or secondary functions or activities.

The Gun-Free Schools Act of 1994 requires that schools:

- (1) Comply with the state law requiring a one (1) year expulsion; that is, subject to the case by case exception, any student who brings a weapon to school

- must be expelled for not less than one (1) year.
- (2) Provide assurance of compliance to the State Education Association.
- (3) Provide descriptive information to the State Education Association concerning the expulsion.
- (4) Have a referral policy for students who bring weapons to school.

Therefore, if a student has intentionally brought a firearm onto school premises, vehicle or building that is owned, leased or used for school functions or activities, the following plan will be implemented.

- (1) Students are entitled to due process:
 - A. If, after due process has been accorded, a student is found to have brought a weapon to school the GFSA requires expulsion for a period of not less than one (1) year.
 - B. The school administration may modify the one (1) year expulsion requirement on a case by case basis.
- (2) Send a report to the SEA that includes the following:
 - A. Number of students expelled.
 - B. The type of weapon involved.
- (3) A written report to the local law enforcement of the incident. The report must include name, date and type of weapon.
- (4) Alternative educational services will only be provided if federal or state laws require that service.

The school district will allow usage of facilities for hunter safety courses. A properly certified instructor must teach the class.

SEPARATED / DIVORCED FAMILY POLICY (MS and HS)

I. School Neutrality / Parent Responsibility

The Deuel School District shall maintain strict neutrality between parents who are involved in an action involving the family (separation/divorce proceeding/divorced) as it is the intent of the District to promote the best interests of each student enrolled in its schools in partnership with both parents, unless otherwise directed by Court Order. It is the responsibility of the parent wishing to restrict a parental right to notify the District of any Court Order affecting student contact/student visitation and/or student records by submitting a certified copy of the Court Order to the Superintendent of Schools and a copy to the child's school building principal.

II. Student Contact / Student Visitation During School Hours

Unless a parent gives notification pursuant to paragraph I above, the District will assume that both parents have the right to contact and visit his or her child at school. For purposes of this provision, the Court Order restricting any right of contact and/or visitation needs to specifically restrict the right and a general order granting physical custody to one parent will not be deemed as sufficiently specific as to prohibit the noncustodial parent's right to contact and/or visit the child while the child is at school.

III. Release of Student to Noncustodial Parent

The District will not authorize a student enrolled in the District to leave the school premises with a noncustodial parent during school hours without the permission of the parent having primary physical custody of the child. For purposes of this provision, it is the responsibility of the custodial parent to provide the District with a copy of the Court Order granting custody pursuant to paragraph I.

IV. Release of Student Records

Pursuant to federal law (Family Education Rights and Privacy Act) both parents, regardless of marital status, have the right to access and have copies of student records and discuss the same with appropriate school

employees, unless there is a Court Order specifically restricting this right of access. Any Court Order restricting the release of confidential student records to a parent is to be submitted to the District pursuant to paragraph I.

FIRE DRILLS (MS and HS)

We are required to conduct four fire drills during the school year. Evacuation procedures for each classroom are clearly posted near the exit in each classroom. Older students should be careful of the younger students. When the fire drill sounds, each classroom will follow the course which will be outlined in each room. All books and wraps should be left in the building. No one should enter the building again until the all-clear signal horn has been given by the principal.

NATURAL DISASTERS (TORNADOES) (MS and HS)

DEFINITION OF TERMS:

Tornado watch (forecast) is announced. This means that tornadoes are expected in or near our area.

Tornado warning means that a tornado has actually been sighted and may strike the area. Take shelter immediately.

PROCEDURE:

Tornado Watch: If a tornado watch is announced by the weather bureau, the superintendent or business manager will be notified immediately by the National Weather Service (NWS). The school official so informed will then immediately contact all building principals.

Tornado Warning: Signal will be given by principal. When a tornado warning is issued, take shelter immediately. You must take action to protect yourself and those under your supervision from being blown away, struck by falling objects or injured by flying debris.

When the fire bell sounds, all students and staff members are to leave the building quickly and quietly by the route posted in each room. When the tornado drill signal is given, all students and staff are to go to their designated area and assume the instructed position. Fire and tornado drills are to be posted in each room.

SCHOOL DISCONTINUANCE DUE TO WEATHER (MS and HS)

Three most common situations regarding winter storm emergencies:

1. School will be closed because of storm and buses will not go out on routes.
No classes will be held.
2. A delay in school opening time will be announced. School will start late and buses will go out on routes prior to the time school begins.
3. Storms which occur after school is in session.

Procedures will be as follows:

1. Schools will close. No classes will be held.
 - a. An ITC notify statement will be sent to all district stakeholders. This will be delivered in a text message for, phone call or an e-mail.
 - b. Post will be created on the school website and Facebook page.
 - c. Announcements will be made on the major network television affiliates prior to schools being closed.
 - d. Students shall not report to school.
2. If school is to start late, announcements will be made on the above radio and television stations. Students and parents are expected to listen to the radio and/or television for this announcement. Rural buses shall operate on a schedule to deliver students in time for new starting time. Dismissal time will be at the regular time.

GUIDELINES DEVELOPED BY COUNCIL OF SCHOOL ATTORNEYS

ARTICLE 24:07

STUDENT DUE PROCESS

CHAPTER 24:07:01 GENERAL PROVISIONS

Section 24:07:01:01 Definition of terms - Terms used in this article, unless the context plainly requires otherwise mean:

- (1) "Expulsion," the action of the school board to terminate a pupil's membership in school for a period of time not to extend beyond the end of the school year;
- (2) "Long-term suspension," the exclusion by the school board of a pupil from a class or classes for more than ten school days, but not more than 90 school days;
- (3) "Parent," a parent, guardian, or person in charge of a pupil;
- (4) "Policy," a rule, regulation, or standard enacted by a school district board;
- (5) "Short-term suspension," the exclusion of a pupil by principal or superintendent from a class or from school for not more than five school days.

CHAPTER 24:07:02 SHORT-TERM HEARING PROCEDURE

Section 24:07:02:01 Suspension

24:07:02:01 Short term suspension hearing procedure. If a short term suspension from a class, classes, or school is anticipated because of a pupil's violation of a rule, regulation, or policy; the principal shall give oral or written notice to the pupil as soon as possible after discovery of the alleged violation, stating the basis for the suspension. The pupil shall be given the opportunity to answer the charges. When a pupil is suspended following the hearing, the parent shall be given oral notice, if possible, and sent a written notice; however, a pupil shall not be removed from the school premises before the end of the school day without contacting a parent.

CHAPTER 24:07:03 LONG-TERM PROCEDURE

Section 24:07:03:01 Written Report Required

24:07:03:01 Written report required. The superintendent must file a sealed, written report with the school board by the end of the fifth school day following the first day of the long-term suspension and may request that a hearing be held before the school board. The report must include the facts of the situation, the action taken, the reasons for the action, and the superintendent's decision or recommendation. The report must remain in the possession of the school board secretary or business manager, sealed and unavailable for review by individual school board members, until the time set for a hearing. The superintendent must send a copy of the report to the pupil's parent or to the pupil if the pupil is 18 years of age or older or an emancipated minor at the same time the report is filed with the school board secretary or business manager.

24:07:03:02 Notice of hearing. If the superintendent deems that there are grounds for a long-term suspension from a class, classes, or for expulsion from school, the using the short-term suspension procedure in Section 24:07:02:01. The superintendent shall give notice of the necessity for the hearing in writing to each school board member. A written notice shall be given to the pupil's parents. The parent's notice shall contain the following minimum information:

- (1) policy allegedly violated;
- (2) the date, time, and place for the hearing;
- (3) a description of the hearing procedure
- (4) the reason for the disciplinary proceedings;
- (5) a statement that the pupil's records are available at the school for examination by the pupil's parents, or their authorized representative; and
- (6) a statement that the pupil may present witnesses.

24:07:03:03 Right of Waiver. The pupil of if the age of majority or emancipated, or the pupil's parent may waive the right to a hearing in writing to the superintendent. If the hearing is not waived, the hearing shall be held on the date, time, and place set in the notice unless a different date, time, and place are agreed to by the parties.

24:07:03:04 Hearing Procedure. The school board shall constitute the hearing board and shall conduct the hearing in the following manner:

- (1) A school board member or a school board designee who is not an employee of the school district shall be appointed as presiding officer;
- (2) each party may make an opening statement;
- (3) each party may introduce evidence, present witnesses, and examine and cross-examine witness;
- (4) each party may be represented by an attorney;
- (5) the administration will present its case first;
- (6) the hearing shall be closed to the public and a verbatim record of the hearing will be made and will be sealed pending court order;
- (7) witnesses may be present only when testifying. All witnesses shall take an oath or affirmation to be administered by the school board president or business manager;
- (8) each party may raise objections; however, objections shall be limited to relevancy and scope of the question;
- (9) all relevant evidence shall be admitted; however, unproductive or repetitious evidence may be limited by the presiding officer;
- (10) the presiding officer may ask questions of the witnesses and may allow other school board members to interrogate witnesses;
- (11) each party may make a closing statement;
- (12) after the hearing, the school board shall continue to meet in executive session for deliberation. No one other than the presiding officer of the hearing shall meet with the school board during deliberation. The school board may seek advice during deliberation from an attorney not present at the hearing. Consultation with any other person during deliberation shall occur only if a representative of the pupil is present;
- (13) the decision of the school board shall be based solely on the evidence presented at the hearing and shall be formalized by a motion made in open meeting. The motion shall omit the name of the pupil and shall state the reason for the board's action. The pupil or pupil's parents shall be notified in writing of the decision. The notice shall state the length of the suspension or expulsion.

Senior Privileges (This document will need to be updated once it is completed)

Senior Privileges will begin when the form is signed by the student and returned to the principal. In order to maintain senior privileges students must meet the following criteria:

1. A senior student must be passing **ALL** of his/her classes. Grades will be checked at eligibility check points to see which seniors qualify for senior privileges. The student must be on track to graduate.
2. Any senior who has been tardy **FIVE** or more times during the semester will lose their senior privileges for a determined period of time by the principal. The handbook disciplinary measures for tardiness will continue to be enforced.
3. Any senior who receives an in-school or out-of-school suspension or has 12 or more absences during the semester will lose his/her senior privileges for a period of time to be determined by the principal.
4. Any senior that drives or rides in an unauthorized vehicle during school hours will forfeit their senior privileges for the remainder of the school year.
5. The principal reserves the right to revoke privileges for disciplinary reasons at any time.

Seniors with privileges must follow the following rules:

1. Seniors with privileges are permitted to go to the front of the lunch line.
2. Seniors with privileges do not have to come to school until the start of their first class for the day and can leave school at the end of their last class for the day.
3. Seniors with privileges will have an open campus noon hour. These seniors can leave the building to eat lunch. He/She can only drive if the driving permission form has been signed and turned in.
4. Seniors with privileges must check into their Study Hall and then can go home, the commons, or the library. Seniors **must not** be roaming throughout the school during these study hall times.

I have read and understood the above criteria for senior privileges at Deuel School District. My signature below states that I will adhere to the above rules and qualifications. I understand that if I break any of the above rules or do not meet any of the preset qualifications, I will forfeit my senior privileges.

Student Signature _____ **Date:** _____

**MUST BE RETURNED TO THE HIGH
SCHOOL/MIDDLE SCHOOL
PRINCIPAL'S OFFICE**

I have read and understand the High School/Middle School Student Handbook as found on the Deuel School District website. I hereby authorize the school to enforce school policy as it applies to my child/children.

(Parent Signature)

(Date)

(Student Signature)

(Date)

Permission to Publish on the Internet

I give permission for my photograph, picture and/or projects to be published on the website, around the community, or in the classroom. I understand that my name will not be used with the published photograph, picture or project. This will help ensure my privacy.

Student's Signature

Date

Parent's Signature

Date

Parental Notification

School Health Assessments 2023-2024

From time to time during the year, health screening may be provided through a contract with the South Dakota Department of Health (DOH), which is subject to the rules and regulations of the Health Insurance Portability and Accountability Act (HIPAA). HIPAA requires that the DOH provide access to our Notices of Privacy Practices. You may view the DOH notice on our website at <https://doh.sd.gov/documents/HIPAANotice.pdf> or request a printed copy by contacting us at 1-800-305-3064.

Parents will be notified of any concerns identified during the health screenings so their child can be further evaluated by the provider of the parent's choice.

When a vision or hearing screening indicates additional testing is needed, the nurse can discuss with school personnel the possible accommodations in the classroom that can be made for the benefit of the child.

If you agree to your child's participation as indicated above, there is no need to sign or return this form to the school.

To Decline Services

_____ I agree to have my child participating in health screening, but do **NOT** want an abnormal hearing or vision screening result to be shared with school personnel

_____ I decline to have my child participate in school health screening

(Printed name of student)

(Printed name of parent)

(Parent Signature)

South Dakota Comprehensive Plan/Program Narrative

Sec. 300.201 Consistency with State policies.

The LEA, in providing for the education of children with disabilities within its jurisdiction, must have in effect policies, procedures, and programs that are consistent with the State policies and procedures, established under Secs. 300.101 through 300.163, and 300.165 through 300.174. (Authority: 20 U.S.C. 1413(a)(1))

South Dakota Administrative Rule 24:05:21:01. Local education agency comprehensive plans- Contents.

Each local education agency must have a current comprehensive plan approved by the school board on file with the district superintendent or designee. Documentation supporting the implementation of the local school district's comprehensive plan shall be maintained by the district for review by Special Education Programs staff during onsite monitoring visits. Districts shall update comprehensive plans consistent with 24:05:21:01.02 and recertify their content annually.

The Deuel School District has formally adopted the following policies and procedures as the district's comprehensive plan for special education. These policies and procedures were approved by the school board on June 10th, 2024. As indicated by the signature below, the authorizing official acknowledges the district will meet all requirements of the Individuals with Disabilities Education Act and Article 24:05 through the implementation of these policies and procedures and furthermore, provides assurances that it meets each of the conditions in 34 CFR 300.201 through 300.213.

CERTIFICATION- I certify that I have read and reviewed the above assurance and will comply with all provisions of applicable federal and state laws.

6.10.2024

Signature of Authorized Official

Date

Chad Schiernbeck Superintendent

Typed Name and Title

410 5th Street W, Clear Lake SD 57226

605.874.2161

Address/State/Zip

Telephone Number

South Dakota LEA Comprehensive Plan: Program Narrative

SECTION I: Free and Appropriate Public Education (FAPE) 34 C.F.R. §§ 300.101-300.108, 300.110; ARSD 24:05:13:02

The district/cooperative and all member schools/districts will make available to all children with disabilities residing in the district(s) between the ages of 3 and 21, inclusive, including children with disabilities who have been suspended or expelled from school, as provided for in 300.530(d); 24:05:26 and 24:05:26.01, ARSD. Specific reference in the narrative to include:

- FAPE beginning at age 3; 300.101(b); ARSD 24:05:13:02
- Children advancing from grade to grade; 300.101(c); ARSD 24:05:13:02
- Limitations- age exceptions to FAPE; 300.102; ARSD 24:05:22:04.01
- FAPE- methods and payments; 300.103; ARSD 24:05:19:08
- Residential placement; 300.104; ARSD 24:05:19:08
- Assistive technology; 300.105; ARSD 24:05:27:20, ARSD 24:05:27:18, ARSD 24:05:27:19
- Extended school year services; 300.106; ARSD 24:05:25:26
- Nonacademic services; 300.107; ARSD 24:05:28:06
- Physical education; 300.108; ARSD 24:05:28:08
- Program options; 300.110; ARSD 24:05:28:04

District Narrative: (Review cited regulation to describe local implementation.)

- FAPE beginning at age 3; 300.101(b); ARSD 24:05:13:02

The Deuel School District will make a FAPE available to all students with disabilities who reside within the boundaries of the district between the ages of 3 and 21 years of age. This includes any student with a disability who has been suspended or expelled. All eligible preschool aged students will have FAPE made available to them by their third birthday, including those whose birthdays fall during the summer months.

- Children advancing from grade to grade; 300.101(c); ARSD 24:05:13:02

All eligible students with disabilities, regardless of whether they are advancing from grade to grade, will have FAPE available to them on an individualized basis as determined by the student's IEP team on an annual basis. Exceptions to FAPE for students aged 3-21 includes those students who have graduated from high school with the regular high school diploma.

- Limitations- age exceptions to FAPE; 300.102; ARSD 24:05:22:04.01

A child's eligibility for special education or special education and related services continues from age 3 through completion of an approved public or nonpublic school secondary program or through age 21, as designated in that child's individual education program as set out in SDCL 13-37-1.

- FAPE- methods and payments; 300.103; ARSD 24:05:19:08

The Deuel School District will not delay the implementation of the IEP requirements, including cases in which the payment source for providing or paying for special education and related services to the child is being determined.

- Residential placement; 300.104; ARSD 24:05:19:08

If it is determined by the IEP team that placement in a private or public residential program is necessary to provide the special education or special education and related services to a child with disabilities, the program, including nonmedical care and room and board, must be provided at no cost to the parent of the child.

- Assistive technology; 300.105; ARSD 24:05:27:18 ARSD 24:05:27:19

If deemed necessary for a child in need of special education, or special education and related services to receive FAPE, the Deuel School/School District will provide assistive technology and assistive technology service in accordance with ARSD 24:05:27:18, and 24:05:27:19. This will not include devices that are medical devices surgically implanted, nor the replacement of such devices.

- Extended school year services; 300.106; ARSD 24:05:25:26

The Deuel School District assured that extended school year services, (as defined in 24:05:25:26) be provided to eligible children if the IEP teams determines on an individual basis that such services are necessary for the provision of FAPE at no cost to the parents.

The IEP team shall develop and implement an IEP pursuant to chapter 24:05:27 that addresses the need for extended school year services. The IEP team shall determine the length of the school day, and duration of extended school year services based on the individual child's needs.

The Deuel School District will not.

- 1). Limit extended school year services to particular categories of disability;
- 2). Unilaterally limit the type, amount, or duration of the services, or
- 3). Apply a regression/recoupment criterion to children in need of prolonged assistance.

- Nonacademic services; 300.107; ARSD 24:05:28:06

The district will ensure that each child with a disability has the supplementary aids and services determined by the child's IEP team to be appropriate and necessary for the child to participate in nonacademic settings. This is to include meals, recess periods, and the services and activities listed in chapter 24:05:28:06, ensuring the children in need of special education or special education and related services participates with children without disabilities in those services and activities to the maximum extent appropriate to the needs of that child.

- Physical education; 300.108; ARSD 24:05:28:08

Physical education, specifically designed if the IEP team deems necessary, shall be made available to every student, including those in need of special education or special education and related services, if same-aged peers enrolled within the district without disabilities are provided physical education in the same grades. Each child shall be afforded the opportunity to participate in the regular physical education program available to children without disabilities unless the child is enrolled full time in a separate facility, or the child needs specifically designed physical education which cannot be provided in the regular physical education program.

If specifically designed physical education is prescribed in the child's IEP, the school responsible for the education of the child shall provide the services directly or make arrangements for it to be provided through other public or private programs.

For children enrolled in separate facilities, the district responsible for the education of the child shall ensure that the child receives appropriate physical education services.

- Program options; 300.110; ARSD 24:05:28:04

The Deuel School District ensures that children in need of special education, or special education and related services, has available to them a variety of educational programs available to children without disabilities in the areas served by the district, including art, music, industrial arts, family and consumer science, and vocational education.

SECTION II: Full educational opportunity goal (FEOG) 34 C.F.R. § 300.109; ARSD 24:05:22:04, ARSD 24:05:22:04.01

The district/cooperative and all member schools/districts will have in effect policies and procedures, demonstrating that the district/cooperative has established a goal of providing full educational opportunity to all children with disabilities, aged birth through 21, and include a timetable for accomplishing that goal.

District Narrative: (Review cited regulation to describe local implementation.)

The Deuel School District, consistent with the timetable established by the State of South Dakota and Part B of the Individuals with Disabilities Education Act (IDEA), has a goal of providing full educational opportunity to all children with disabilities, aged birth through twenty-one. The district will review data annually to guide decisions with regard to adjustments in its programs to ensure appropriate services to all students with disabilities.

SECTION III: Child Find 34 C.F.R. § 300.111; Child Identification ARSD 24:05:22

The district/cooperative and all member schools/districts must have in effect policies and procedures for ensuring that all children with disabilities who reside within the boundaries of the district/cooperative member districts, including those who are homeless children or are wards of the state, and children with disabilities who attend private schools, regardless of the severity of their disabilities, who are in need of special education and related services are identified, located, and evaluated and a practical method is developed and implemented to determine which children with disabilities are currently receiving needed special education and related services. Specific reference in the narrative to include:

- Use of the term developmental delay; ARSD 24:05:24.01:09
- Children who may be suspected of having a disability, and in need of special education, even though they are advancing from grade to grade, 300.111(c)(1); ARSD 24:05:22:01
- Children who are highly mobile, including migrant children, 300.111(c)(2); ARSD 24:05:22:01

District Narrative: (Review cited regulation to describe local implementation.)

The Deuel School District, has in effect policies and procedures to ensure that all children with disabilities who reside within the boundaries of the district/cooperative member districts and who may be in need of special education and related services are located, identified, and evaluated according to all relevant regulations. This includes those students who may be homeless or wards of the state, as well as children with disabilities who may attend private schools within the jurisdiction of the district. Child find includes our ongoing efforts to identify pre-school and school age students with disabilities through our referral and evaluation procedures, as well as our periodic screening of preschoolers who may be experiencing developmental delays.

- **Use of the term developmental delay; ARSD 24:05:24.01:09-** A district is not required to adopt and use the term developmental delay for any student within its jurisdiction. If a district uses the term, the district must conform to both the department's definition and the age range that has been adopted by the department (3-9).

A student who is at least three years of age, but less than nine years of age may be identified as a student with a disability if the student has one of the major disabilities listed in 24:05:24.01:01, or if the student has a severe delay in development, as specified below, and needs special education and related services.

The district notices a student as one with development delay if:

The student functions at a level with two or more standard deviations below the mean in any one area of development below or is 1.5 standard deviations below the mean in two or more areas of development listed below, inclusive.

Areas of development:

1. Cognitive development
2. Physical development
3. Communication development
4. Social or emotional development; and
5. Adaptive development.

- Children who may be suspected of having a disability, and in need of special education, even though they are advancing from grade to grade, 300.111(c)(1); ARSD 24:05:22:01
- Children who are highly mobile, including migrant children, 300.111(c)(2).

The Deuel School District has developed and utilizes the following system for Child Find to include the identification, locations, and evaluation of all children residing within the jurisdiction of the district who are ages birth-21, regardless of severity of disability, including children of all public and private agencies and institutions, private schools, religious schools, and children receiving alternative instruction under SDCL 13-27-3 within the legal boundaries of the district.

This applies to wards of the state and highly mobile children with disabilities, migrant children and homeless children, and all children who are suspected of having disabilities under this article and in need of special education, even though they are advancing from grade to grade.

The Deuel School District, in order to fulfill the obligations of the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act is required to inform and provide full education opportunities to all individuals with disabilities ages birth through twenty-one.

Chad Schiernbeck, Superintendent of the Deuel School District needs your assistance to identify, locate, and evaluate all children with disabilities. This public awareness notice is to inform parents and other individuals/agencies of the availability of educational services and related services to all individuals who reside within the jurisdiction of the Deuel School District and who are between the ages of birth through twenty-one, regardless of the severity of their disability. This includes individuals in all public and private agencies and institutions and highly mobile children with disabilities, such as migrant and homeless children, who reside within the legal boundaries of the district.

Anyone aware of an individual who may benefit from educational services and related services is encouraged to call the Deuel School District, at 605-874-2161.

SECTION IV: Individualized Education Program (IEP) 34 C.F.R. 300.112; ARSD 24:05:27

The district/cooperative and all member schools/districts will ensure that an individualized education plan (IEP), or an individual family service plan (IFSP) that meets the requirements of section 636(d) of the Act, is developed, reviewed, and revised for each child with a disability in accordance with 34 C.F.R. §§ 300.320 – 300.324, except as provided in 300.300(b)(3)(ii). Specific reference must include:

- Content of the IEP; 300.320(a) (1-7); ARSD 24:05:27:01.03
- Transition services; 300.320(b); ARSD 24:05:27:13.02
- Transfer of rights at the age of majority; 300.320(c); ARSD 24:05:27:01.03
- The IEP team; 300.321; ARSD 24:05:27:01.01
- Parent participation in the IEP; 300.322; ARSD 24:05:25:16
- When the IEP must be in effect; 300.323; ARSD 24:05:25:22
- Development of the IEP; 300.324; ARSD 24:05:27:01.02
- Routine checking of hearing aids and external components of surgically implanted medical devices, 300.113; ARSD 24:05:27:05

District Narrative: (Review cited regulation to describe local implementation.)

The Deuel School District ensures that each identified student with a disability has a current IEP in place that meets the requirements of Section 636(d) of the IDEA, and that has been developed in accordance with the requirements at 34 CFR sections 300.320 through 324. All identified students with disabilities in our district will have a current IEP in place at the beginning of the school year, and for eligible preschool students, by their third birthday. Each eligible student's IEP will be reviewed periodically, but not less than annually, to review progress and determine whether annual goals are being met.

- Content of the IEP; 300.320(a) (1-7); ARSD 24:05:27:01.03

Each child's IEP will include:

- (1). Statement of the student's present levels of academic achievement and functional performance:
 - A. How the student's disability affects the student's involvement and progress in the general education curriculum
 - B. For preschool children, as appropriate, how the disability affects the student's participation in appropriate activities
- (2). A statement of measurable annual goals, including academic and functional goals, designed to:
 - A. Meet the student's needs that result from the student's disability to enable the student to be involved in and progress in the general education curriculum; and
 - B. Meet each of the student's other educational needs that result from the student's disability;
 - C. For students with disabilities who take alternate assessments aligned to alternate achievement standards, each student's IEP shall provide a description of benchmarks or short-term objectives
- (3). A statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the student, or on behalf of the student, and a statement of the program modifications or supports for school personnel that will be provided to enable the student:
 - A. To advance appropriately toward attaining the annual goals;
 - B. To be involved and make progress in the general education curriculum in accordance with this section and to participate in extracurricular and other nonacademic activities; and
 - C. To be educated and participate with other students with disabilities and nondisabled students in the activities described in this section:
- (4). An explanation of the extent, if any, to which the student will not participate with nondisabled students in the regular class and in activities described in this section:
- (5). A statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the student on state and district-wide assessments consistent with 24:05:14:14. If the IEP team determines that the student shall take an alternate assessment instead of a particular regular state or district-wide assessment of student achievement, a statement of why:
 - A. The student cannot participate in the regular assessment; and
 - B. The alternate assessment selected is appropriate for the student;
- (6). The projected date for the beginning of the services and modification described in this section and the anticipated frequency, location, and duration of those services and modifications;
- (7). A description of how the student's progress toward the annual goals described in this section will be measured and when periodic report on the progress the student is making toward meeting the annual goals will be provided (such as quarterly progress reports, concurrent with the issuance of the report cards).
- (8). Beginning not later than the first IEP to be in effect when the student turns 16, or younger if determined appropriate by the IEP team, and updated annually thereafter, the IEP shall include:
 - A. Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and, if appropriate, independent living skills; and
 - B. The transition services (including specific course of study) needed to assist the student in reaching those goals; and
- (9). Beginning no later than one year before a student reaches the age of majority under state law, the student's individualized education program must include a statement that the student has been informed of his or her rights under Part B of the Individuals with Disabilities Education Act, if any, that will transfer to the student on reaching the age of majority consistent with 24:05:30:16:01.
 - Transition services; 300.320(b); ARSD 24:05:27:13.02

The Deuel School District engages in transition services when applicable to the student. The transition services are coordinated activities for student with a disability, designed to be within a results-oriented process, that is focused on improving the academic and functional achievement of the student with a disability to facilitate the student's movement from school to postsecondary activities, including postsecondary education, continuing and adult education, vocational education, integrated employment (including supported employment), adult services, independent living, or community participation.

Transition services are based on the individual's needs, considering the student's strengths, preferences and interests, and shall include instruction, related services, community experiences, the development of employment and other postsecondary adult living objectives, and, if appropriate, acquisition of daily living skills and provision of a functional vocational evaluation.

Transition services for students with disabilities may be special education, if provided as specifically designed instruction, or related services, if required to assist a student with a disability to benefit from special education.

- Transfer of rights at the age of majority; 300.320(c); ARSD 24:05:27:01.03

Beginning no later than one year before the student reaches the age of majority under state law, the student's IEP must include a statement that the student has been informed of his or her rights under Part B of the Individuals with Disabilities Education Act, if any, that will transfer to the student on reaching the age of majority consistent with 24:05:30:16:01.

- The IEP team; 300.321; ARSD 24:05:27:01.01

The Deuel School District ensures that the following individuals are a part of the IEP team for each child:

- (1). Parents of the student;
- (2). At least one regular education teacher of the student if the student is, or may be, participating in the regular education environment;
- (3). At least one special education teacher of the student of, if appropriate, at least one special education provider of the student;
- (4). A representative of the school district who:
 - A. Is qualified to provide, or supervise the provision of, specifically designed instruction to meet the unique needs of students with disabilities;
 - B. Is knowledgeable about the general education curriculum; and
 - C. Is knowledgeable about the availability of resources of the school district;
- (5). An individual who can interpret the instructional implications of evaluation results, who may be a member of the team described in subdivisions 2 to 6, inclusive, of this section:
- (6). At the discretion of the parent or school district, other individuals that have knowledge of special expertise regarding the student including related service personnel as appropriate:
- (7). If appropriate, the student;
- (8) Transition services participants as described in 24:05:25: 16:01 and 24:05:25: 16:02.

*The determination of the knowledge or special education expertise of any individual described in this section shall be made by the party (parents or district) who invited the individual to be a member of the IEP team. A district may designate another district member of the IEP team to also serve as the district representative; if the criteria in this section are satisfied.

- Parent participation in the IEP; 300.322; ARSD 24:05:25:16

The Deuel School District values the input of parents, and as such, takes steps to ensure that one or both parents of the child are present at each IEP team meeting, or are afforded the opportunity to participate. The district shall notify parents of the meeting early enough to ensure that they will have an opportunity to attend, scheduling the meeting at a mutually agreed-upon time and place. The notice to the parents shall state the purpose, time, and location of the IEP team meeting and who will be in attendance and inform the parents of the provisions relating to the participation of other individuals on the IEP team who have knowledge or special expertise about the child, including information related to the participation of the Part C service coordinator or other representatives of the Part C system at the initial IEP Team meeting for a child previous serviced under Part C of the IDEA.

If a purpose of the IEP team meeting is the consideration of postsecondary goals and transition services for a student, the notice must also address the provisions of 24:05:25:16:01

If parents cannot attend, the district shall use other methods to ensure participation, including individual or conference telephone calls consistent with 24:05:27:08:04.

- When the IEP must be in effect; 300.323; ARSD 24:05:25:22

If the child is determined to be in need of special education, or special education and related services, the IEP team shall develop an appropriate individual education program for the child. At the beginning of each school year thereafter, the district must have in effect an IEP for each child with disabilities under its jurisdiction. For children beginning at age three, an IEP shall be in effect by that date. If a child's third birthday occurs during the summer, the IEP team shall determine the date when services under the IEP will begin. All IEPs shall be developed in accordance with the provisions of this article.

- Development of the IEP; 300.324; ARSD 24:05:27:01.02

In developing, reviewing, and revising each student's IEP, the team shall consider the strengths of the student and the concerns of the parents for enhancing the education of their student, the results of the initial or most recent evaluation of the student, the academic, developmental, and functional needs of the student. The IEP team also shall:

- (1) In the case of a student whose behavior impedes his or her learning or that of others, consider the use of positive behavioral interventions and supports and other strategies to address that behavior;
- (2) In the case of a student with limited English proficiency, consider the language needs of the student as these needs relate to the student's individualized education program;
- (3) In the case of a student who is blind or visually impaired, provide for instruction in Braille and the use of Braille unless the team determines, after an evaluation of the student's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the student's future needs for instruction in Braille or the use of Braille), that instruction in Braille or the use of Braille is not appropriate for the student;
- (4) Consider the communication needs of the student and, in the case of a student who is deaf or hard of hearing, consider the student's language and communication needs, opportunities for direct communications with peers and professional personnel in the student's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the student's language and communication mode; and
- (5) Consider whether the student requires assistive technology devices and services.

The regular education teacher of a student with a disability, as a member of the individualized education program team, must, to the extent appropriate, participate in the development, review, and revision of the student's individualized education program, including the determination of appropriate positive behavioral interventions and supports and other strategies for the student and the determination of supplementary aids and services, program modifications, and supports for school personnel that will be provided for the student consistent with subdivision 24:05:27:01:03(3).

Nothing in this section requires the team to include information under one component of a student's individualized education program that is already contained under another component of the student's IEP. No additional information may be required to be included in a student's IEP beyond what is explicitly required in this section.

- Routine checking of hearing aids and external components of surgically implanted medical devices, 300.113; ARSD 24:05:27:05

For children with hearing impairments, including deafness, in need of special education who wear hearing aids in school, the IEP team shall include, as a related service, a monitoring schedule in the IEP to ensure proper functioning of these corrective devices.

SECTION V: Least Restrictive Environment (LRE), 34 C.F.R. §§ 300.114 – 300.120; ARSD 24:05:28

The district/cooperative and all member schools/districts will ensure that, to the maximum extent appropriate, children with disabilities, including those in public or private institutions or other care facilities, are educated with children who are not disabled, and special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature and severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. Specific reference must include:

- A continuum of alternative placements; 300-115; ARSD 24:05:28:02
- Placements; 300.116; ARSD 24:05:28:03
- Non-academic settings, 300.117; ARSD 24:05:28:06
- Children in public or private institutions; 300.118; ARSD 24:05:28:07
- Teachers and administrators are provided with technical assistance and training; 300.119; ARSD 24:05:28:11
- Monitors placements, 300.120; ARSD 24:05:28:12

District Narrative: (Review cited regulation to describe local implementation.)

The Deuel School District ensures the availability of a continuum of alternative placements to provide each student with a disability the opportunity for education in the Least Restrictive Environment. Any removal of a student with a disability from the regular education environment may occur only when the nature and severity of the child's needs dictate that education in regular classes, with the use of supplementary aids and services cannot be achieved satisfactorily.

- A continuum of alternative placements; 300-115; ARSD 24:05:28:02

The Deuel School District will follow the continuum of alternative placements when serving a child with potential need:

- (1) Regular classroom
- (2) Resource room

- (3) Self-contained programs
- (4) Separate day school program
- (5) Residential school program
- (6) Home and hospital program
- (7) Other setting

The IEP team shall determine the extent to which related services are required in order for the child to benefit from the program. The length of a school day must be equal in duration to that of a regular public-school day unless an adjusted school day is required to meet the individual needs of the child. The IEP team must provide supplementary services, such as resource room or itinerant instruction, to be provided in conjunction with regular class placement, as applicable.

In cases where placement is made in a separate day school program or residential school program, the district may abide by the school term of the facility in which the child is placed based on the individual needs of the child.

- Placements; 300.116; ARSD 24:05:28:03

Each school district shall establish and implement procedures which ensure that the following factors are addressed in determining placements:

- (1) Each child's educational placement must be individually determined at least annually and must be based on the child's individual education program;
- (2) Provisions are made for appropriate classroom or alternative settings necessary to implement a child's IEP;
- (3) Unless a child's IEP requires some other arrangement, the child shall be educated in the school which that child would normally attend if not disabled. Other placements shall be as close as possible to the child's home;
- (4) Placement in the least restrictive environment will not produce a harmful effect on the child or reduce the quality of services which that child needs; and
- (5) A child with a disability is not removed from education in age-appropriate regular classrooms solely because of needed modification in the general education curriculum.

- Non-academic settings, 300.117; ARSD 24:05:28:06

In providing or arranging for the provision of nonacademic and extracurricular services and activities, including meals, recess periods, and the services and activities listed in this chapter, Deuel School District shall develop and implement procedures which ensure that each child in need of special education or special education and related services participate with children without disabilities in those services and activities to the maximum extent appropriate to the needs of that child. The district shall ensure that each child with a disability has the supplementary aids and services determined by the child's IEP to be appropriate and necessary for the child to participate in nonacademic settings.

- Children in public or private institutions; 300.118; ARSD 24:05:28:07

Deuel School District ensures that children placed in public or private institutions or other care facilities are educated with children who are not disabled to the maximum extent appropriate.

The ultimate goal of the Deuel School District is to have children with disabilities, become as self-sufficient as their disability permits and to increase their life options and opportunities for personal liberty, happiness, and participation in our society.

Seeking out young children with disabilities so that they may receive special instruction in early childhood is part of this responsibility. The purpose of identifying these and older children and their disability is not to categorize them, but to determine and provide the most appropriate education and related service possible for each one.

The Board believes that most children with disabilities can be educated in the regular school program if they are given special instruction, accommodations, and the support they need. These children should also be given opportunity to participate in the school's nonacademic and extracurricular activities.

- Teachers and administrators are provided with technical assistance and training; 300.119; ARSD 24:05:28:11

The Deuel School District makes a concerted effort to ensure that teachers and administrators in all public agencies are fully informed about their responsibilities for implementing the provisions of this chapter and are provided with technical assistance and training necessary to assist them.

- Monitors placements, 300.120; ARSD 24:05:28:12

The Deuel School District's IEP team ensures that children in need of special education, or special education with related services, are provided those services in the least restrictive environment per the individual student's needs identified in the IEP.

If the department finds evidence that a district makes placements that are inconsistent with the requirements for the least restrictive environment in Part B of the Individuals with Disabilities Act, the department shall review the district's justification for its actions and shall assist in planning and implementing any necessary corrective action.

As Case Managers are responsible for case management in the Deuel School District, the Special Education Director ensures the Case Managers reach out to the Out-of-District Placement site for information needed to provide case management. The Case Managers, in collaboration with the Out-of-District Placement site, will be responsible for writing the IEP and ensuring goals are being worked on. If the Out-of-District Placement site does not provide academics for the student, the Case Manager will make sure the academics are available at the Out-of-District site for the student. Student progress at the Out-of-District Placement site should be communicated to the Case Manager so that the Case Manager can communicate the student progress with the families.

SECTION VI: Procedural Safeguards, 34 C.F.R. § 300.121; ARSD 24:05:30

The district/cooperative and all member schools/districts will ensure that all children with disabilities and their parents are afforded procedural safeguards required by 34 C.F.R. §§300.500 through 300.536, and consistent with South Dakota Administrative Rule. Specific reference must include:

- Opportunity to examine records; parent participation in meetings; 300.501(a)(b)(c); ARSD 24:05:30:02
- Independent educational evaluations; 300.502; ARSD 24:05:30:03
- Prior written notice; content of notice; 300.503; ARSD 24:05:30:04
- Procedural safeguards notice; 300.504; ARSD 24:05:30:06.01, ARSD 24:05:30:06.02
- Use of electronic mail; 300.505; ARSD 24:05:30:06.03
- Availability of mediation; 300.506; ARSD 24:05:30:09
- Filing of due process complaints; 300.507; 300.508; 300.509; ARSD 24:05:30:07.01
- Resolution process; 300.510; ARSD 24:05:30:08.09-.12
- Impartial due process hearing; 300.511; ARSD 24:05:30:09.04
- Hearing rights; 300.512; ARSD 24:05:30:12
- Hearing decisions; 300.513; 300.514; 300.515; 300.516; 300.517; ARSD 24:05:30:11
- Status of child during due process proceedings; 300.518; 24:05:30:14 ARSD.
- Surrogate parents; children who are wards of the state; homeless youth; 300.519; ARSD 24:05:30:15
- Transfer of rights at age of majority; 300.520; ARSD 24:05:30:16.01
- Discipline procedures and manifestation determination; 300.530; ARSD 24:05:26:09.03
- Determination of setting; 300.531; ARSD 24:05:26:09.2
- Right of appeal of the determination of setting; 300.532; ARSD 24:05:26:09.05
- Placement during appeals; 300.533; ARSD 24:05:26:09.06
- Protections for children not determined eligible for special education and related services; 300.534; ARSD 24:05:26:14
- Referral to action by law enforcement and judicial authorities; 300.535; ARSD 24:05:26:15
- Change of placement due to disciplinary removals; 300.536; ARSD 24:05:26:02.01

District Narrative: (Review cited regulation to describe local implementation.)

The Deuel School District ensures that all children with disabilities and their parents are afforded the required procedural safeguards of 34 CFR 300.500 through 300.356 as outlined in the *South Dakota Parental Rights and Procedural Safeguards* document.

The district will provide a copy of the procedural safeguards document to the parents of an eligible child with a disability at least one time each year, in addition to the following:

- Upon initial referral or parent request for an evaluation;
- Upon request by the parent;

- In accordance with discipline procedures outline in the procedural safeguards document;
- Upon receipt of the first state complaint or first due process complaint in a given school year.

The district posts a copy of the procedural safeguards document on its website in both English and Spanish to afford access to the public.

- Opportunity to examine records; parent participation in meetings; 300.501(a)(b)(c); ARSD 24:05:30:02

The parents of a child in need of special education or special education and related services shall be afforded, in accordance with the procedures in Chapter 24:05:29, an opportunity to inspect and review all education records concerning the identification, evaluation, and educational placement of the child and provisions of a free appropriate public education to the child.

- Independent educational evaluations; 300.502; ARSD 24:05:30:03

If the parent disagrees with the evaluation obtained by the district subject to the conditions in this section, they have the right to an independent educational evaluation at public expense.

Each district shall provide to parents, upon request for an independent educational evaluation, information about where an independent educational evaluation may be obtained, and the district criteria applicable for independent educational evaluations specified in this section.

If a parent does request an IEE, while the district may ask for the parent's reason why he or she objects to the public evaluation, the parents are not required to provide reasoning and the IEE may not be unreasonably delayed either providing the IEE at public expense or filing a due process complaint to request a due process hearing to defend the public evaluation.

If a parent requests an IEE, the district must, without unnecessary delay, will file a due process complaint to request a hearing under this chapter to show that its evaluation is appropriate, or ensure that an IEE is provided at public expense unless the district demonstrates in a hearing that the evaluation obtained by the parent did not meet the requirements.

If the district files a due process complaint to request a hearing under this chapter and the final decision is that the evaluation is appropriate, the parent still has the right to an IEE, but NOT at public expense.

The parent is only entitled to one IEE at public expense per evaluation with which the parent disagrees.

If a parent obtains an IEE, regardless of at public or private expense, the results of the evaluation, as long as it meets district criteria, must be considered by the district in any decision made with respect to the provision of a free appropriate public education to the child and may be presented by any party as evidence at a hearing under this chapter regarding that child.

If a hearing officer requests an IEE as part of the hearing, the cost of the evaluation must be at public expense.

If an independent evaluation is made at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria which the district uses when it initiates an evaluation to the extent those criteria are consistent with the parent's right to an IEE. Each district shall provide to parents, on request, information about where an independent educational evaluation may be obtained.

For the purposes of this section, the term, IEE means an evaluation conducted by a qualified examiner who is not employed by the district responsible for the education of the child in question. For purposes of this section, the term, public expense, means that the district either pays for the full cost of the evaluation or ensures that the evaluation is otherwise provided at no cost to the parent consistent with 24:05:14:01 to 24:05:14:01:05, inclusive.

Except for the criteria described in this section, a district may not impose conditions or timelines related to obtaining an IEE at public expense.

- Prior written notice; content of notice; 300.503; ARSD 24:05:30:04

The Deuel School District ensures that parents are given notice five days before the district proposes or refuses to initiate or change the identification, evaluation, or educational placement of the child of the provision of a free appropriate education to the child. The five-day notice requirement may be waived by the parent. The date is identified specifically on the PPWN.

- Procedural safeguards notice; 300.504; ARSD 24:05:30:06.01; ARSD 24:05:30:06.02

Availability:

The Deuel School District special education staff ensures that a copy of the procedural safeguards are provided to the parents of a child with a disability at least one time per year, and additionally in the following conditions:

- (1) Upon initial referral or parental request for evaluation;
- (2) Upon request by a parent;
- (3) In accordance with the discipline procedures in chapters 24:05:26 and 24:05:26:01 and;
- (4) Upon receipt of the first state complaint under chapter 24:05:15 and first due process complaint under this chapter in a school year

A district may place a copy of the current procedural safeguards on its internet website if a website exists.

Contents:

The procedural safeguards notice must include a full explanation of all the procedural safeguards available under this article and the state complaint procedures relating to:

- (1) Independent Educational Evaluations
- (2) Prior Written Notice
- (3) Parental Consent
- (4) Access to educational records
- (5) Opportunity to present and resolve complaints through the due process complaint and state complaint procedures,

including:

- (a) The time in which to file a complaint
 - (b) The opportunity for the district to resolve the complaint; and
 - (c) The difference between the due process complaint and the state complaint procedures, including the jurisdiction of each procedure, what issues may be raised, filing and decisional timelines, and relevant procedures.
- (6) The child's placement during pendency of any due process complaint
 - (7) Procedures for students who are subject to placement in an interim alternative educational setting
 - (8) Requirements for unilateral placement by parents of children in private schools at public expense;
 - (9) The availability of mediation;
 - (10) Hearings on due process complaints, including requirements for disclosure of evaluation results and recommendations;
 - (11) Civil actions, including the period in which to file those actions; and
 - (12) Attorney's fees.

The form of notice must be consistent with 24:05:30:06, including written evidence that the requirements in this section have been met.

- Use of electronic mail; 300.505; ARSD 24:05:30:06.03

A parent of a child with a disability may elect to receive notices required by this chapter by an electronic mail communication, if the district makes that option available.

The Deuel School District ensures a parent of a child with a disability may elect to receive their South Dakota Parental Rights and Procedural Safeguards, notices and other information required by this chapter by electronic mail (email) communication. Parents have an opportunity annually to check "yes" they give consent to receive information, notices, and communication related to their child's IEP electronically or "no" they do not give consent, on the fall enrollment paperwork collected by the Deuel School District each year.

- Availability of mediation; 300.506; ARSD 24:05:30:09

The Deuel School District ensures that procedures are established and implemented to allow parties to dispute any matter under this article, including matters that arise before the filing of a due process complaint, to resolve disputes through a mediation process. Procedures for mediation are as follows:

- (1) The district shall ensure that mediation is viewed as voluntary and freely agreed to by both parties and is in no way used to deny or delay an aggrieved party's right to a hearing on a parent's due process complaint, or to deny any other rights afforded under this article; and
- (2) The mediation conference is an intervening, informal process conducted in a no adversarial atmosphere that is scheduled in a timely manner and held in a location that is convenient to the parties in the dispute.

The state shall bear the cost of the mediation process, including the costs of meetings described in 24:05:30:09.02

- Filing of due process complaints; 300.507; 300.508; 300.509; ARSD 24:05:30:07.01

A due process complaint may be filed by the school district or parent on any matters relating to the identification, evaluation or educational placement of a child with a disability, or the provision of FAPE to the child.

- Resolution process; 300.510; ARSD 24:05:30:08.09-.12

Participants:

Within 15 days of receiving notice of the parent's due process complaint, and before the initiation of a due process hearing under this chapter, the district shall convene a meeting with the parent and the relevant member or members of the IEP team who have specific knowledge of the facts identified in the due process complaint. The meeting:

- (1) Shall include a representative of the district who has decision-making authority on behalf of the district; and
- (2) May not include an attorney of the district unless the parent is accompanied by an attorney.

The parent and district shall determine the relevant members of the IEP team to attend the meeting.

Purpose:

The purpose of the resolution meeting is for the parent of the child to discuss the due process complaint, and the facts that form the basis of the due process complaint, so that the district has the opportunity to resolve the dispute that is the basis for the due process complaint.

Waive or Mediate:

The resolution meeting need not be held if:

- (1) The parent and the district agree in writing to waive the meeting; or
- (2) The parent and the district agree to use the mediation process described in this chapter.

General:

If within 30 days of receipt of the due process complaint, the district has not resolved the due process complaint to the satisfaction of the parent, the due process hearing may occur.

Except as provided in 24:05:30: 08:14, the timeline for issuing a final decision in a due process hearing begins at the expiration of the 30-day period.

Except where the parties have jointly agreed to waive the resolution process or to use mediation, notwithstanding the above the two paragraphs, the failure of the parent filing a due process complaint to participate in the resolution meeting delays the timelines for the resolution process and due process hearing until the meeting is held.

- Impartial due process hearing; 300.511; ARSD 24:05:30:09.04

If a due process hearing is received under this chapter, chapter 24:05:26, or chapter 24:05:26.01, the parents or the district involved in the dispute shall have an opportunity for an impartial due process hearing, consistent with the procedures in this article.

The department is responsible for ensuring that a due process hearing is held.

- Hearing rights; 300.512; ARSD 24:05:30:12

Any party to a hearing, under this chapter or chapter 24:05:26 and 24:05:06.01, has the right to:

- (1) Be accompanied and advised by counsel and by individuals with special knowledge or training concerning the problems of children with disabilities, except that neither party has the right to be represented by a Non attorney at a hearing;
- (2) Present evidence and confront, cross-examine, and compel the attendance of witnesses;

- (3) Prohibit the introduction of any evidence at the hearing that has not been disclosed to that party at least five business days before the hearing;
- (4) Obtain a written or, at the option of the parents, electronic verbatim record of the hearing; and
- (5) Obtain written or, at the option of the parents, electronic findings of fact and decisions. The public agency shall transmit those findings and decisions, after deleting any personally identifiable information, to the state advisory council and shall make those findings and decisions available to the public.

Parents involved in hearings must be given the right to have the child who is the subject of the hearing present and open the hearing to the public. The record of the hearing and the findings of fact and decisions must be provided at no cost to the parents.

- **Hearing decisions; 300.513; 300.514; 300.515; 300.516; 300.517; ARSD 24:05:30:11**

Appeal of hearing decision- Civil Action:

Any aggrieved party by the decision of the hearing officer under this chapter or chapters 24:05:26 and 24:05:26.01 may bring a civil action with respect to a due process complaint notice requesting a due process hearing under the Individuals with Disabilities Education Act, 20 U.S.C. 1415(I)(2). A civil action may be filed in either state or federal court without regard to the amount in controversy. The party bringing the action has 30 days from the date of a hearing officer's decision to file a civil action. In any action brought under this section, this court:

- (1) Shall review the records of the administrative proceedings;
- (2) Shall hear additional evidence at the request of a party; and
- (3) Basing its decision on the preponderance of the evidence, shall grant the relief that the court determines to be appropriate.

Nothing in Part B of the IDEA restricts or limits the rights, procedures, and remedies available under the Constitution, the Americans with Disabilities Act of 1990 as amended to July 1, 2013, Title V of the Rehabilitation Act of 1973 as amended to July 1, 2013, or other federal laws protecting the right of children with disabilities. However, before the filing of a civil action under these laws, seeking relief that is also available under section 615 of IDEA, the procedures under this chapter for filing a due process complaint must be exhausted to the same extent as would be required had the action been brought under section 615 of IDEA.

- **Status of child during due process proceedings; 300.518; ARSD 24:05:30:14**

Except as provided in chapters 24:05:26 and 24:05:26.01, during the pendency of any administrative hearing or judicial proceeding regarding a due process complaint notice requesting a due process hearing pursuant to this chapter, the child involved must remain in the present educational placement unless the state or school district and the parents agreed otherwise. If the complaint involves an application for initial admission to public school, the child, with the consent of the parents, must be placed in the public-school program until the completion of all the proceedings.

If the complaint involves an application for initial services under this article from a child who is transitioning from Part C of the IDEA to Part B and is no longer eligible for Part C services because the child has turned three, the district is not required to provide the Part C services that the child has been receiving. If the child is found eligible for special education and related services under Part B and the parent consents to the initial provision of special education and related services, then the district must provide those special education and related services that are not in dispute between the parent and the district.

If the decision of a hearing officer in a due process hearing agrees with the child's parents that a change of placement is appropriate, that placement must be treated as an agreement between the state and the parents for purposes of pendency.

- **Surrogate parents; children who are wards of the state; homeless youth; 300.519; ARSD 24:05:30:15**

Each school district shall establish procedures for the assignment of a surrogate parent to ensure that the rights of a child are protected if no parent, as defined in 24:05:13:04, can be identified and the district, after reasonable effort, cannot locate a parent or if the child is a ward of the state or the child is an unaccompanied homeless youth as defined in section 725(6) of the McKinney-Vento Homeless Assistance Act, as amended to January 1, 2009. A district's method for determining whether a child needs a surrogate parent must include the following:

- (1) The identification of staff members at the district or building level responsible for referring students in need of a surrogate parent;

- (2) The provision of in-service training on the criteria in this section for determining whether a child needs a surrogate parent; and
- (3) The establishment of a referral system within the district for the appointment of a surrogate parent.

If a child is a ward of the state, the surrogate parent alternatively may be appointed by the judge overseeing the child's case, if the surrogate meets the requirements of this section.

The district superintendent or designee shall appoint surrogate parents.

The district shall ensure that a person selected as a surrogate has no personal or professional interest that conflicts with the interest of the child the surrogate represents and has knowledge and skills that ensure adequate representation of the child. The district is responsible for the training and certification of surrogate parents and shall maintain a list of persons who may serve as surrogate parents.

A person assigned as a surrogate may not be an employee of the department, district, or any other agency that is involved in the education of care of the child.

If a child is an unaccompanied homeless youth, appropriate staff of emergency shelters, transitional shelters, independent living programs, and street outreach programs may be appointed as temporary surrogate parents, without regard to the nonemployee provision above, until a surrogate parent can be appointed who meets all the requirements of this section.

A person who otherwise qualifies to be a surrogate under the provisions of this section is not an employee of the agency solely because the person is paid by the agency to serve as a surrogate parent.

The surrogate parent may represent the student in all matters relating to the identification, evaluation, educational placement, and provision of FAPE to the students.

The department shall make reasonable efforts to ensure the assignment of a surrogate parent not more than 30 days after a district determines that the child needs a surrogate parent.

- **Transfer of rights at age of majority; 300.520; ARSD 24:05:30:16.01**

Consistent with state law, when a child with a disability reaches the age of majority that applies to all children, except for an eligible child who has been determined to be incompetent, the following shall occur:

- (1) The school district shall provide any notice required by this article to both the individual and the parents;
- (2) All other rights accorded to parents under this article transfer to the child; and
- (3) All rights accorded to parents under this article transfer to children who are incarcerated in an adult or juvenile, state, or local correctional institution.

If a state transfers right under this section, the school district shall notify the individual and the parents of the transfer of rights. If, consistent with state law, an eligible child is determined not to have the ability to provide informed consent with respect to the educational program of the child, the school district shall appoint the parent or, if the parent is not available, another appropriate individual to represent the educational interests of the child throughout the child's eligibility under this article.

- **Discipline procedures and manifestation determination; 300.530; ARSD 24:05:26:09.03**

The Arlington School District team (Special Education Director with Special Education Case Managers) will assure the following procedures are followed:

Within ten school days of any decision to change the placement of a student with a disability because of a violation of a code of student conduct, the school district, the parent, and relevant members of the student's IEP team, as determined by the parent and the district, shall review all relevant information in the student's file, including the student's IEP, any teacher observations, and any relevant information provided by the parents to determine;

- (1) Whether the conduct in question was caused by, or had a direct and substantial relationship to, the student's disability; or
- (2) Whether the conduct in question was the direct result of the school district's failure to implement the IEP.

The conduct must be determined to be a manifestation of the student's disability if the district, the parent, and relevant members of the student's IEP team determine that a condition in either subdivision (1) or (2) of this section was met.

If the district, the parent, and relevant members of the student's IEP team determine that the condition described in subdivision (2) of this section was met, the district shall take immediate steps to remedy those deficiencies.

- Determination of setting; 300.531; ARSD 24:05:26:09.2

The IEP team shall determine the interim alternative educational setting in which a student is placed under 24:05:26:08.01, 24:05:26:02.01, and 24:05:26:09.05.

- Right of Appeal of the Determination of Setting; 300.532; ARSD 24:05:26:09.05

Not a Manifestation of Disability:

For disciplinary changes in placement that would exceed ten consecutive school days, if the behavior that gave rise to the violation of the school code is determined not to be a manifestation of the student's disability pursuant to this chapter, school personnel may apply the relevant disciplinary procedures to students with disabilities in the same manner and for the same duration as the procedures would be applied to students without disabilities, except as provided in this section.

A student with a disability who is removed from the student's current placement pursuant to this section or 24:05:26:08.01 must:

- (1) Continue to receive educational services, as provided in this article, so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP; and
- (2) Receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur.

- Placement during appeals; 300.533; ARSD 24:05:26:09.06

Appeal:

The parent of a student with a disability who disagrees with any decision regarding placement under this chapter or with the manifestation determination, or a school district that believes that maintaining the current placement of the student is substantially likely to result in injury to the student or others, may appeal the decision by requesting a hearing. The hearing is requested by filing a complaint pursuant to this article.

- Protections for children not determined eligible for special education and related services; 300.534; ARSD 24:05:26:14

A student who has not been determined to be eligible for special education and related services under this article and who has engaged in behavior that violated any rule or code of conduct of the school district, including any behavior described in this chapter, may assert any of the protections provided for in this article if the school district has knowledge that the student was a student with a disability before the behavior that precipitated the disciplinary action occurred. A school district is deemed to have knowledge that a student is a student with a disability if:

- (1) The parent of the student has expressed concern in writing to supervisory or administrative personnel of the appropriate educational agency, or a teacher of the student, that the student is in need of special education and related services;
- (2) The parent of the student has requested an evaluation of the student pursuant to this article; or

(3) The teacher of the student, or other personnel of the district or other public agency has expressed specific concerns about a pattern of behavior demonstrated by the student directly to the director of special education of the district or to other supervisory personnel of the district.

A district is not deemed to have knowledge that the student is a student with a disability under this section, if the parent of the student has not allowed an evaluation of the student pursuant to this article, or has refused services under this article, or the district conducted an evaluation consistent with this article and determined that the student was not a student with a disability.

If the district does not have knowledge that a student is a student with a disability before taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures as measures applied to students without disabilities who engaged in comparable behaviors consistent with this chapter.

If a request is made for an evaluation of a student during the time period in which the student is subjected to disciplinary measures under this chapter, the evaluation must be conducted in an expedited manner. Until the evaluation is completed, the student shall remain in the educational placement determined by school authorities, which can include suspension or expulsion without educational services. If the student is determined to be a student with a disability taking into consideration information from the evaluation conducted by the district and information provided by the parents, the district shall provide special education and related services in accordance with the provisions of this article including the discipline procedures and free appropriate public education requirements.

- Referral to action by law enforcement and judicial authorities; 300.535; ARSD 24:05:26:15

Nothing in Part B of the Individuals with Disabilities Education Act prohibits a school district or other public agency from reporting a crime committed by a student with a disability to appropriate authorities or to prevent state law enforcement and judicial authorities from exercising their responsibilities regarding the application of federal and state law to crimes committed by a student with a disability.

- Change of placement due to disciplinary removals; 300.536; ARSD 24:05:26:02.01

For purposes of removal of a student with a disability from the student's current educational placement under this chapter, a change of placement occurs if:

(1) Removal is for more than ten consecutive school days; or

(2) The student is subjected to a series of removals that constitute a pattern because:

(a) They cumulate to more than ten school days in a school year;

(b) Of factors such as the length of each removal, the total amount of time the student is removed, and the proximity of the removals to one another; and

(c) The student's behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals.

The school will determine on a case-by-case basis whether a pattern of removals constitutes a change of placement. This determination is subject to review through due process and judicial proceedings.

SECTION VII: Evaluation 34 C.F.R. §300.122; ARSD 24:05:25

The district/cooperative and all member schools/districts will ensure that all children with disabilities are evaluated in accordance with 34 C.F.R. §§300.300 through 300.311. Specific references must include:

- Parental consent (for initial evaluation, services, and re-evaluations; 300.300; ARSD 24:05:25:02.01, ARSD 24:05:25:06.01
- Initial evaluations; 300.301; ARSD 24:05:25:03
- Screening for instructional purposes; 300.302; ARSD 24:05:25:03.03
- Re-evaluations; 300.303; ARSD 24:05:25:06
- Evaluation procedures; 300.304; 300.305; ARSD 24:05:25:04
- Determining eligibility; 300.306; ARSD 24:05:25:04.03
- Specific learning disabilities; 300.307 through 300.311; ARSD 24:05:25:07, ARSD 24:05:25:08, ARSD 24:05:25:11, ARSD 24:05:25:12

District Narrative: (Review cited regulation to describe local implementation.)

The Deuel School District ensures that all children with disabilities are evaluated in accordance with the following regulatory provisions:

- Parental consent (for initial evaluation, services, and re-evaluations; 300.300; ARSD 24:05:25:02.01, ARSD 24:05:25:06.01 ARSD.

Any school district proposing to conduct an initial evaluation to determine whether a child qualifies as a child with a disability shall, after providing notice consistent with chapter 24:05:30; obtain informed consent from the parent of the child before conducting the evaluation.

Parental consent for initial evaluation may not be construed as consent for initial provision of special education and related services.

The Deuel School District shall make reasonable efforts to obtain the informed consent from the parent for an initial evaluation to determine whether the child is a child with a disability.

To meet the reasonable efforts requirement in this section, the district shall document its attempts to obtain parental consent using the following procedures (found in 24:05:25:17).

The IEP team meeting may be conducted without a parent in attendance if the district is unable to convince the parents that they should attend. The district must have a written documentation of its attempts to arrange a mutually agreed upon time and place, such as the following:

- (1) Detailed records and dates of telephone calls made or attempted to parents and the results of those calls;
 - (2) Detailed copies of dated correspondence sent to the parents and any responses received; and
 - (3) Detailed records and dates of visits made to the parent's home or place of employment and the results of those visits
- Initial evaluations; (Preplacement evaluations, ARSD 24:05:25:03)

Before any action is taken concerning the initial placement of a child with disabilities in a special education program, a full and individual evaluation of the child's educational needs must be conducted in accordance with the requirements of this chapter. **Initial evaluations must be completed within 25 school days after receipt by the district of signed parent consent to evaluate unless other timelines are agreed to by the school administration and the parents.**

Written evaluation reports, determination of eligibility, and conducting an IEP team meeting must be completed within 30 days from the end of the 25-school day evaluation timeline. If another timeline for completing the evaluation process is agreed to by the parent and school administration, the written evaluation reports, determination of eligibility, and conducting an IEP team meeting must be completed within 30 days from the end of agreed upon evaluation timeline.

Consistent with the consent requirements in this section, either a parent of a child or a school district may initiate a request for an initial evaluation to determine whether the child is a child with a disability.

- Screening for instructional purposes; 300.302; ARSD 24:05:25:03.03

The screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation is not considered to be an evaluation for eligibility for special education and related services.

- Re-evaluations; 300.303; ARSD 24:05:25:06

The Deuel School District shall ensure that a reevaluation of each child with a disability is conducted in accordance with this chapter if the school district determines that the educational or related service needs, including improved academic achievement and functional performance, of the child warrant a reevaluation or if the child's parents or teacher requests a reevaluation.

A reevaluation conducted under this section may occur not more than once a year, unless the parent and district agree otherwise, and must occur at least once every three years, unless the parent and the district agree that a reevaluation is unnecessary.

Reevaluations must be completed within 25 school days after receipt by the district of signed consent to reevaluate unless other time limits are agreed to by the school administration and the parents consistent with 24:05:25:03.

Each school district shall follow the procedures under 24:05:25:04.02 when reevaluating a student for additional purposes of:

- (1) Determining whether the child continues to have a disability and determining the educational needs of the child;
- (2) Determining the present levels of academic achievement and related developmental needs of the child;
- (3) Determining whether the child continues to need special education and related services; and
- (4) Determining whether any additions or modifications to the special education and related services are needed to enable the child to meet the measurable annual goals set out in the IEP and to participate, as appropriate, in the general education curriculum.

If no additional data are needed to determine continuing eligibility and the child's educational needs, the district shall notify the parents of that determination and reasons for it and of the right of the parent to request an assessment, for purposes of determining the child's educational needs under this article, and to determine continuing eligibility. The school district is not required to conduct an assessment unless requested to do so by the child's parents. However, a school district shall follow the procedures in this chapter before determining that the child is no longer a child with a disability. The evaluation procedures described in this chapter are not required before the termination of a child's eligibility under this article due to graduation from secondary school with a regular high school diploma or exceeding the age eligibility for FAPE.

- Evaluation procedures; 300.304; 300.305; ARSD 24:05:25:04

Evaluation procedures must include a minimum of the following:

- (1) Assessment and other evaluation materials are provided and administered in the child's native language or by another mode of communication and in the form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to so provide or administer. In addition, assessments and other evaluation materials:
 - a. Are used for the purposes for which the assessments or measures are valid and reliable; and
 - b. Are administered by trained and knowledgeable personnel in conformance with the instructions provided by their producer;
- (2) Assessments and other evaluation materials include those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient;
- (3) Assessments are selected and administered so as best to ensure that if an assessment is administered to a child with impaired sensory, manual, or speaking skills, the assessment accurately reflects the child's aptitude or achievement level or whatever other factors the assessment purports to measure, rather than the child's impaired sensory, manual, or speaking skills except where those skills are the factors which the assessment purports to measure;
- (4) No single measure or assessment is used as the sole criterion for determining eligibility or an appropriate educational program for a child;
- (5) A variety of assessment tools and strategies are used to gather relevant functional, developmental, and academic information about the child, including information provided by the parents, that may assist in determining:
 - a. To be involved in and progress in the general education curriculum; or
 - b. For a preschool child, to participate in appropriate activities
- (6) Technically sound instruments, assessment tools, and strategies are used that:
 - a. May assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors; and
 - b. Provide relevant information that directly assists persons in determining the educational needs of the child;
- (7) The child is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities, and

- (8) The evaluation is sufficiently comprehensive to identify all of the child's special education and related service needs, whether commonly linked to the disability category in which the child has been classified.

Assessments of children with disabilities who transfer from one school district to another school district in the same school year are coordinated with those children's prior and subsequent schools, as necessary and as expeditiously as possible, consistent with 24:05:25:03.01, to ensure prompt completion of full evaluations.

- **Determining eligibility; 300.306; ARSD 24:05:25:04.03**

Upon completing the administration of assessments and other evaluation measures as required by this chapter, the individual education program team and other qualified individuals required by 24:05:25:04.02 shall determine whether the student is a student with a disability, and shall determine the educational needs of the child, as defined in this article. The school district shall provide a copy of the evaluation report and the documentation of determination of eligibility at no cost to the parent. A student may not be determined to be a student with a disability if the determinant factor for that decision is a lack of appropriate instruction in reading, including the essential components of reading instruction as defined in ESSA, or lack of appropriate instruction in math or limited English proficiency and if the student does not otherwise meet the eligibility criteria under chapter 24:05:24.01.

- **Specific learning disabilities; 300.307 through 300.311; ARSD 24:05:25:07, ARSD 24:05:25:08, ARSD 24:05:25:11, ARSD 24:05:25:12**

Additional procedures for evaluating specific learning disabilities:

In order for a school district to certify a child as learning disabled for purposes of the federal child count, requirements in 24:05:24.01:19 and 24:05:25:08 to 24:05:25:13, inclusive, must be met and documented in a child's record.

Additional group members for specific learning disabilities:

The determination of whether a child suspected of having a specific learning disability is a child with a disability shall be made by the child's parents and a team of qualified professionals, which shall include:

- (1) The child's regular teacher;
- (2) If the child does not have a regular teacher, a regular classroom teacher qualified to teach a child of that age;
- (3) If the child is less than school age, an individual certified by the department to teach a child of that age; and
- (4) At least one person qualified to conduct individual diagnostic examinations of children, such as a school psychologist, speech-language pathologist, remedial reading teacher, or special education teacher.

Observation for specific learning disabilities:

The school district shall ensure that the child is observed in the child's learning environment, including the regular classroom setting, to document the child's academic performance and behavior in the areas of difficulty.

The group described in this section, in determining whether a child has a specific learning disability, shall:

- (1) Use information from an observation in routine classroom instruction and monitoring of the child's performance that was done before the child was referred for an evaluation, as in a response to intervention model; or
- (2) Have at least one member of the group conduct an observation of the child's academic performance in the regular classroom after the child has been referred for an evaluation and parental consent, consistent with this chapter, is obtained, as in a discrepancy model.

If a child is less than school age or out of school, a group member must observe the child in an environment appropriate for a child of that age.

Documentation of eligibility for specific learning disabilities:

For a child suspected of having a specific learning disability, the documentation of the determination of eligibility shall contain a statement of:

- (1) Whether the child has a specific learning disability;
- (2) The basis for making the determination, including an assurance that the determination has been made in accordance with this section;
- (3) The relevant behavior, if any, noted during the observation of the child and the relationship of that behavior to the child's academic functioning;
- (4) The educationally relevant medical findings, if any;
- (5) Whether:
 - a. The child does not achieve adequately for the child's age or does not meet state-approved grade-level standards; and
 - b. The child does not make sufficient progress to meet age or state-approved grade-level standards; or the child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, state-approved grade level standards or intellectual development;
- (6) The determination of the group concerning the effects of a visual, hearing, or motor disability; cognitive disability; emotional disturbance; cultural factors; environmental or economic disadvantage; or limited English proficiency on the child's achievement level;
- (7) If the child has participated in a process that assesses the child's response to scientific, research-based intervention:
 - a. The instructional strategies used and the student-centered data collected; and
 - b. The documentation that the child's parents were notified about:
 - i. The state's policies regarding the amount and nature of student performance data that would be collected and the general education services that would be provided;
 - ii. Strategies for increasing the child's rate of learning; and
 - iii. The parents' right to request an evaluation;
- (8) If using the discrepancy model, the group finds that the child has a severe discrepancy of 1.5 standard deviations between achievement and intellectual ability in one or more of the eligibility areas, the group shall consider regression to the mean in determining the discrepancy; and
- (9) If using the response to intervention model for eligibility determination, the group shall demonstrate that the child's performance is below the mean relative to age or state approved grade level standards.

SECTION VIII: Confidentiality 34 C.F.R. 300.123; ARSD 24:05:29, ARSD 24:05:21:05

The district/cooperative and all member schools/districts will ensure compliance with all regulations regarding the confidentiality of records and information, as noted in 34 C.F.R. §§300.610 through 300.626. Specific references must include:

- Notice requirements to parents; 300.612; ARSD 24:05:29:18
- Access rights; 300.613; ARSD 24:05:29:04
- Record of access; 300.614; ARSD 24:05:29:05
- Records on more than one child; 300.615; ARSD 24:05:29:06
- List of types and locations of information; 300.616; ARSD 24:05:29:07
- Fees for copies of records; 300.617; ARSD 24:05:29:08
- Amendments to records at parent's request; 300.618; ARSD 24:05:29:09
- Opportunity for a hearing; 300.619; ARSD 24:05:29:10
- Result of hearing and hearing procedures; 300.620-621; ARSD 24:05:29:12
- Parental consent for the release of records; 300.622; ARSD 24:05:29:13

- Safeguarding of records; 300.623; ARSD 24:05:29:14
- Destruction of information; 300.624; ARSD 24:05:29:15
- Children's rights; transfer at the age of majority; 300.625; ARSD 24:05:29:16
- Enforcement; policies and procedures; 300.626; ARSD 24:05:29:17
- Transfer of records for migratory children with disabilities; 300.213; ARSD 24:05:21:05

District Narrative: (Review cited regulation to describe local implementation.)

The Deuel School District ensures the compliance with all regulations regarding the confidentiality of personally identifiable information and all records according to 34 CFR 300.610 through 300.626.

- Notice requirements to parents; 300.612; ARSD 24:05:29:18

The department shall give notice that fully informs parents about the requirements under this chapter, including the following:

- (1) A description of the extent to which the notice is given in the native languages of various population groups in the state;
- (2) A description of the children on whom personally identifiable information is maintained, the types of information sought, the methods the state intends to use in gathering the information, including sources from whom information is gathered, and the uses to be made of the information;
- (3) A summary of the policies and procedures which participating agencies must follow regarding storage, disclosure third parties, retention, and destruction of personally identifiable information; and
- (4) A description of all the rights of parents and children regarding this information, including the right under 34 CFR part 99, Family Educational Rights and Privacy Act, as amended to July 1, 2013.

Before any major identification, location, or evaluation activity, the notice shall be published or announced in newspapers or other media, or both, with circulation adequate to notify parents throughout the state of the activity.

- Access rights; 300.613; ARSD 24:05:29:04

Each school district shall permit parents to inspect and review any education records relating to their student which are collected, maintained, or used by the agency under this chapter. The agency shall comply with a request without unnecessary delay and before any meeting regarding an individual education program or hearing relating to the identification, evaluation, or placement of the student, or discipline hearing, or resolution session, and in no case more than 45 calendar days after the request has been made.

The right to inspect and review educational records under this section includes the following:

- (1) The right to response from the district to reasonable requests for explanations and interpretations of the records;
- (2) The right to request that the district provide copies of the records containing the information if failure to provide these copies would effectively prevent the parent from exercising the right to inspect and review the records; and
- (3) The right to have a representative of the parents inspect and review the records.

The district may presume that the parent has authority to inspect and review records relating to the parent's child unless the agency has been advised that the parent does not have the authority under applicable state law governing such matters as guardianship, separation, divorce, or custody.

- Record of access; 300.614; ARSD 24:05:29:05

The Deuel School District keeps a record of parties obtaining access to educational records collected, maintained, or used under this chapter, except access by parents and authorized employees of the district, including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records. A parent or eligible student may inspect this record on request.

- Records on more than one child; 300.615; ARSD 24:05:29:06

If any educational record includes information on more than one child, that parents of those children may inspect and review only the information relating to their child or may be informed of that specific information.

- List of types and locations of information; 300.616; ARSD 24:05:29:07

Upon request, the district shall provide parents with the types and location of educational records collected, maintained, or used by the district.

- Fees for copies of records; 300.617; ARSD 24:05:29:08

Per district policy, a district may charge a fee for copies of the records, which are made for parents under this chapter if the fee does not effectively prevent the parents from exercising their right to inspect and review those records. The district may not charge a fee to search for or retrieve information under this chapter.

- Amendments to records at parent's request; 300.618; ARSD 24:05:29:09

A parent who believes that information in education records that were collected, maintained, or used under this article are inaccurate or misleading or violates the privacy or other rights of the student, may request the district which maintains the information to amend the information.

The district can then decide whether to amend the information in accordance with the request within a reasonable period of time after receipt of the request.

If the district decides to refuse to amend the information in accordance with the request, it shall inform the parent of the refusal and advise the parent of the right to a hearing.

- Opportunity for a hearing; 300.619; ARSD 24:05:29:10

The district shall, on request, provide an opportunity for a hearing to challenge information in education records to ensure that it is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student.

- Result of hearing and hearing procedures; 300.620-621; ARSD 24:05:29:12

Results of a hearing:

If, as a result of the hearing, the district decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it shall amend the information accordingly and inform the parents in writing.

If, as a result of the hearing, the district decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it shall inform the parents of the right to place in the records it maintains on the student a statement commenting on the information or setting forth any reasons for disagreeing with the decision of the district.

Any explanation placed in the records of the student under this section must be maintained by the district as part of the records of the student as long as the record or contested portion is maintained by the district. If the records of the student or the contested portion is disclosed by the district to any party, the explanation must also be disclosed to the party.

- Parental consent for the release of records; 300.622; ARSD 24:05:29:13

Parental consent must be obtained before personally identifiable information is disclosed to parties other than officials of participating agencies collecting or using the information under this article or used for any purpose other than meeting a requirement under this chapter, unless the information is contained in education records and the disclosure is authorized

without parental consent under FERPA. The district may not release information from education records to participating agencies without parent consent except as follows:

- (1) Educational agency or institution may disclose personally identifiable information from the educational record of a student without written consent of the parent of the student or the eligible student if disclosure is to other school officials, including teachers, within the educational institution or local educational agency who have been determined by the agency or institution to have legitimate educational interests or to officials of another school or school system in which the student seeks or intends to enroll, subject to the requirements set forth in subdivision (2) of this section; and
- (2) The educational agency or institution that discloses the educational records of a student pursuant to subdivision (1) of this section shall make a reasonable attempt to notify the parent of the student or the eligible student at the last known address of the parent or eligible student, unless the disclosure is initiated by the parent or eligible student.

If the agency or institution includes in its annual notice of parent's rights that it is the policy of the public agency to forward education records on request to a school in which a student seeks or intends to enroll, then the public agency does not have to provide any further notice of the transfer of records.

Notwithstanding the FERPA exceptions for releasing information from educational records without parental consent including the annual notice provision, if a student is enrolled, or will enroll in private school that is not located in the district of the parent's residence, parental consent must be obtained before any personally identifiable information about the student is released between official in the district where the private school is located and officials in the district of the parent's residence.

An educational agency receiving personally identifiable information from another educational agency or institution may make further disclosures of the information on behalf of the educational agency without the prior written consent of the parent or eligible student if the conditions in subdivisions (1) and (2) of this section are met and if the educational agency informs the party to whom disclosure is made of these requirements.

- **Safeguarding of records; 300.623; ARSD 24:05:29:14**

Each school district shall protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages.

One official in the district shall assume responsibility for ensuring the confidentiality of any personally identifiable information.

All persons collecting or using personally identifiable information must receive training or instruction regarding the provisions of this chapter concerning personally identifiable information.

Each district shall maintain for public inspection a current listing of the names and positions of those employees within the district who may have access to personally identifiable information on students in need of special education or special education and related services.

- **Destruction of information; 300.624; ARSD 24:05:29:15**

The school district shall inform parents when personally identifiable information collected, maintained, or used under this chapter is no longer needed to provide educational services to the student.

The information no longer needed must be destroyed at the request of the parents. However, a permanent record of the student's name, address, and phone number, the student's grades, attendance record, classes attended, and grade level completed may be maintained without a time limit.

- **Children's Rights; transfer at the age of majority; 300.625; ARSD 24:05:29:16**

24:05:29:16 Child's Rights:

All of the parental rights in this chapter are extended to the child upon reaching the age of 18 unless the child has been declared incompetent by the courts, consistent with 24:05:30:16.01, including taking into consideration the type or severity of a child's disability.

- Enforcement; policies and procedures; 300.626; ARSD 24:05:29:17

Enforcements:

The department shall ensure that all school districts in this state comply with the requirements on confidentiality of information through on-site monitoring, approval of comprehensive plans, and complaint resolution. Sanctions for noncompliance include the disapproval of local special education programs and the withholding of state and federal funds.

- Transfer of records for migratory children with disabilities; 300.213; ARSD 24:05:21:05

A school district shall cooperative in the U.S. Secretary of Education's efforts under ESSA to ensure the linkage of records pertaining to migratory children with disabilities for the purpose of electronically exchanging, among the states, health and educational information regarding those children.

SECTION IX: Transition from Part C to Part 34 C.F.R. § 300.124; ARSD 24:05:27:21

The district/cooperative and all member schools/districts will ensure that children participating in early intervention programs assisted under Part C, and who will participate in preschool programs assisted under Part B, experience a smooth and effective transition to those preschool programs. By the third birthday of such a child, an individualized education program (IEP) or, if consistent with 34 C.F.R. § 300.323(b), in individualized family service plan (IFSP), has been developed and is being implemented for the child. The local education agency (LEA) will participate in transition planning conferences arranged by the designated lead agency.

District Narrative: (Review cited regulation to describe local implementation.)

The Deuel School District ensures that children participating in early intervention programs under Part C, and who will participate in preschool programs under Part B experience a smooth and effective transition to district preschool programs. Further, each eligible child with a disability will have in place at the time of their third birthday, an appropriate IEP or IFSP for the provision of special education and related services has been developed and implemented. The district participates in transition planning conferences as coordinated by the local Part C agency.

SECTION X: Private School Placements; 34 C.F.R. §§ 300.129 – 300.148; 24:05:31, ARSD 24:05:32

The district/cooperative and all member schools/districts will ensure that all responsibilities to children placed in private schools within the jurisdiction of the LEA are met. Consistent with the number and location of children with disabilities within the jurisdiction of the district/cooperative, such students enrolled in private elementary and secondary schools will have provisions made for the participation in programs assisted or carried out under Part B for the purpose of providing special education and related services. Specific references must include:

- Definition of parentally-placed private school children; 300.130; ARSD 24:05:32:01
- Child find for parentally-placed private school children with disabilities; 300.131; ARSD 24:05:32:01.01
- Provision of services for parentally-placed private school children with disabilities; 300.132; ARSD 24:05:32:03.01, ARSD.
- Expenditures for parentally-placed private school children with disabilities; 300.133; ARSD 24:05:32:01:02
- Consultation process with private schools attended by children with disabilities; 300.134; ARSD 24:05:32:01:05
- Written affirmation by private school officials of meaningful consultation; 300.135; ARSD 24:05:32:01:06
- Compliance; rights of private school officials to submit a state complaint; 300.136; ARSD 24:05:32:01:07
- Determination of equitable services for parentally-placed private school students with disabilities; 300.137; ARSD 24:05:32:03.02,
- Provision of equitable services for parentally-placed private school students with disabilities; 300.138; ARSD 24:05:32:03.02
- Location of services and transportation; 300.139; ARSD 24:05:32:03.03
- Due process complaints and state level complaints; 300.140; ARSD 24:05:32:03.04
- Requirements that funds not benefit a private school; 300.141; ARSD 24:05:32:12

- Use of personnel for the provision of services to parentally placed private school students with disabilities; 300.142; ARSD 24:05:32:13
- Prohibition on separate classes; 300.143; ARSD 24:05:32:11
- Property, equipment, and supplies used to provide special education and related services to parentally placed private school students with disabilities; 300.144; ARSD 24:05:32:15, ARSD 24:05:32:16
- Children with disabilities in private schools placed or referred by public agencies; 300.145 – 300.147; ARSD 24:05:34:02
- Placement of children with disabilities by their parents in private schools when FAPE is an issue; 300.148; ARSD 24:05:31:01-07

District Narrative: (Review cited regulation to describe local implementation.)

The Deuel School District ensures compliance with 34 CFR 300.129 through 300.148, governing private school placements within the boundaries of the district. Through consultation with private school representatives, the district ensures that it will locate, identify and evaluate all children with disabilities who are enrolled by their parents in a private school within the district's boundaries. For all eligible students with disabilities enrolled in private schools by their parents, a service plan will be developed in accordance with 300.132, and records maintained documenting the number of students evaluated and served in these settings.

- Definition of parentally placed private school children; 300.130; ARSD 24:05:32:01

Responsibility of department:

The department is responsible for ensuring the participation of eligible parentally-placed private school children in the program assisted or carried out under this article consistent with their number and location by providing them with special education and related services in accordance with this chapter including direct services, unless the U.S. Secretary of Education has arranged for services under the by-pass procedures in Part B of IDEA. The department shall ensure that a service plan is developed and implemented for each private school child with a disability who has been designated by the district in which a private school is located to receive special education and related services under this chapter. For purposes of this chapter, the term, parentally-placed private school children with disabilities, means children with disabilities enrolled by their parents in private, including religious, schools or facilities that meet the state definition of elementary school or secondary school, other than children with disabilities covered under chapter 24:05:31.

- Child find for parentally-placed private school children with disabilities; 300.131; ARSD 24:05:32:01.01

Each school district shall establish a child find process to locate, identify, and evaluate all private school children with disabilities, including religious elementary and secondary school children and children receiving alternative instruction under 13-27-3 in schools located in the school district served by the district. The activities undertaken for children with disabilities must be similar to activities undertaken for children with disabilities in public schools.

The child find process shall be designed to ensure:

- (1) The equitable participation of parentally placed private school children; and
- (2) An accurate count of those children.

The child find process shall be completed in a time period comparable to that for students attending public schools in the district consistent with this article.

Each school district in which private, including religious, elementary schools and secondary schools are located shall, in carrying out the child find requirements in this section, include parentally placed private school children who reside in a state other than the state in which the private schools that they attended are located.

Each school district shall maintain in its records, and provide to the department, the following information related to parentally- placed private school children covered under this chapter: the number of children evaluated; the number of children determined to be children with disabilities; and the number of children served.

- Provision of services for parentally placed private school children with disabilities; 300.132; ARSD 24:05:32:03.01

Service Plan:

If a child with a disability is enrolled in a religious or other private school, by the child's parent, and will receive special education or related services from the district, the district shall:

- (1) Initiate and conduct meetings to develop, review, and revise a service plan for the child, in accordance with 24:05:32:03.02; and
 - (2) Ensure that a representative of the religious or other private school attends each meeting. If the representative cannot attend, the district shall use other methods to ensure participation by the private school, including individuals or conference telephone calls.
- Expenditures for parentally-placed private school children with disabilities; 300.133; ARSD 24:05:32:01:02

Each school district must spend the following amounts on providing special education and related services including direct services to parentally-placed private school children with disabilities:

- (1) For children 3-21, inclusive, an amount that is the same proportion of the school district's total subgrant under Part B of IDEA as the number of private school children with disabilities aged 3-21, inclusive, who are enrolled by their parents in private, including religious, elementary schools and secondary schools located in the school district served by the district is to the total number of children with disabilities in its jurisdiction aged 3-21, inclusive: and
- (2) For children 3-5, inclusive, an amount that is the same proportion of the school district's total subgrant under Section 619, Preschool, of the IDEA as the number of private school children with disabilities aged 3-5, inclusive, who are enrolled by their parents in private, including religious, elementary schools located in the school district served by the district is to the total number of children with disabilities in its jurisdiction aged 3-5, inclusive.

If a district has not expended for equitable services all of the funds described in this section by the end of the fiscal year for which Congress appropriated funds, the district shall obligate the remaining funds for special education and related services, including direct services, to parentally-placed private school children with disabilities during a carry-over period of one additional year.

In calculating the proportionate share, the district, after timely and meaningful consultation with representatives of private schools, shall conduct a thorough and complete child find process to determine the number of parentally-placed children with disabilities attending private schools located in the district.

State and local funds may supplement and in no case supplant the proportionate amount of federal funds required to be expended for parentally-placed private school children with disabilities under this chapter.

- Consultation process with private schools attended by children with disabilities; 300.134; ARSD 24:05:32:01:05

Consultation:

To ensure timely and meaningful consultation, a school district, or, if appropriate, the department shall consult with private school representatives and representatives of parents of parentally-placed private school children with disabilities during the design and development of special education and related services for the children regarding the following:

- (1) The child find process, including:
 - a. How parentally-placed private school children suspected of having a disability can participate equitably;
 - b. How parents, teachers, and private school officials will be informed of the process;
- (2) Determination of proportionate share of federal funds available to serve parentally-placed private school children with disabilities under this chapter, including the determination of how the proportionate share of those funds was calculated;
- (3) The consultation process among the district, private school officials, and representatives of parents of parentally-placed private school children with disabilities, including how the process will operate throughout the school year to ensure that parentally-placed children with disabilities identified through the child find process can meaningfully participate in special education and related services;

- (4) How, where, and by whom special education and related services will be provided for parentally-placed private school children with disabilities, including a discussion of:
 - a. The types of services, including direct services and alternative service delivery mechanisms;
 - b. How special education and related services will be apportioned if funds are insufficient to serve all parentally-placed private school children; and
 - c. How and when those decisions will be made; and
 - (5) How, if the district disagrees with the views of the private school officials on the provision of services or the types of services, whether provided directly or through a contract, the district will provide to the private school officials a written explanation of the reasons why the district chose not to provide services directly or through a contract.
- Written affirmation by private school officials of meaningful consultation; 300.135; ARSD 24:05:32:01.06

When timely and meaningful consultation, as required by 24:05:32:01.05 has occurred, the district shall obtain a written affirmation signed by representatives of participating private schools.

If the representatives do not provide the affirmation within a reasonable period of time, the district shall forward the documentation of the consultation process to the department.

- Compliance; rights of private school officials to submit a state complaint; 300.136; ARSD 24:05:32:01.07

Compliance:

A private school official has the right to submit a complaint to the department that the school district did not engage in consultation that was meaningful and timely or did not give due consideration to the views of the private school official.

If the private school official wishes to submit a complaint, the official shall provide to the department the basis of the noncompliance by the district with the applicable private school provisions in this chapter. The district shall forward the appropriate documentation regarding its consultation process to the department.

If the private school official is dissatisfied with the decision of the department, the official may submit a complaint to the U.S. Secretary of Education by providing the information on noncompliance described in this section. The department shall forward the appropriate documentation regarding the state's decision on the complaint to the U.S. Secretary of education.

- Determination of equitable services for parentally-placed private school students with disabilities; 300.137; ARSD 24:05:32:03.02

The services provided to parentally-placed private school children with disabilities must be provided by personnel meeting the same standards as personnel providing services in the public schools except that private elementary school and secondary school teachers who are providing equitable services to parentally-placed private school children with disabilities are not required to meet the qualified special education teacher requirements of this article. Private school children with disabilities may receive a different amount of services than children with disabilities in public schools. No private school child with a disability is entitled to any service or to any amount of service the child would receive if enrolled in a public school. Each private school child with a disability who has been designated to receive services under this chapter, must have a services plan that describes the specific special education and related services that the district will provide to the child in light of the services that the district has determined, through the process described in this chapter, it will make available to private school children with disabilities. The services plan must to the extent appropriate:

- (1) Meet the IEP content requirements with respect to the services provided; and
- (2) Be developed, reviewed, and revised consistent with the IEP provisions in this article.

- Provision of equitable services for parentally-placed private school students with disabilities; 300.138; ARSD 24:05:32:03.02

The provision of services pursuant to this chapter shall be provided by employees of a school district, or through contract by the school district with an individual, association, agency, organization, or other entity.

Special education and related services provided to parentally-placed private school children with disabilities, including materials and equipment, shall be secular, neutral, and nonideological.

- Location of services and transportation; 300.139; ARSD 24:05:32:03.03

Services provided to eligible parentally-placed private school children may be provided on the premises of a child's private school, including a religious school, to the extent consistent with state law. If necessary for the child to benefit from or participate in the services provided under this chapter, a private school child with a disability must be provided transportation:

- (1) From the child's school or the child's home to a site other than the private school; and
- (2) From the service site to the private school, or to the child's home, depending on the timing of the services.

Districts are not required to provide transportation from the child's home to the private school. The cost of transportation described in this section may be included in calculating whether the district has met the requirements of 24:05:32:01.02.

- Due process complaints and state level complaints; 300.140; ARSD 24:05:32:03.04

Complaints:

The due process hearing and mediation procedures in chapter 24:05:30 do not apply to complaints that a school district has failed to meet the requirements of this chapter, including the provision of services indicated on the child's service plan. The due process hearing and mediation procedures in chapter 24:05:30 apply to complaints that the district has failed to meet the child find requirements in 24:05:32:01.01, including the parent consent and evaluations requirements in this article. Any due process complaint regarding the child find requirements shall be filed with the school district in which the private school is located, and a copy shall be forwarded to the department. Complaints that the department or a school district has failed to meet the requirements of this chapter may be filed under the procedures in chapter 24:05:15 consistent with the procedures in 24:05:32:01.07.

- Requirements that funds not benefit a private school; 300.141; ARSD 24:05:32:12

A school district may not use IDEA Section 619 Preschool or Part B funds to finance the existing level of instruction in a private school or to otherwise benefit the private school. The school district shall use funds provided under Part B of the IDEA to meet the special education and related services needs of students enrolled in private schools, but not for:

- (1) The needs of a private school; or
- (2) The general needs of the students enrolled in the private school.

- Use of personnel for the provision of services to parentally-placed private school students with disabilities; 300.142; ARSD 24:05:32:13

A school district may use IDEA Section 619 Preschool and Part B funds to make public personnel available in other than public facilities to the extent necessary to provide services designed for students enrolled in a private school if those services are not normally provided by the private school.

- Prohibition on separate classes; 300.143; ARSD 24:05:32:11

A school district may not use IDEA Section 619 Preschool or Part B funds for classes that are organized separately on the basis of school enrollment or religion of the students if the classes are at the same site and the classes include students enrolled in public schools and students enrolled in private schools.

- Property, equipment, and supplies used to provide special education and related services to parentally-placed private school students with disabilities; 300.144; ARSD 24:05:32:15, ARSD 24:05:32:16

A school district shall control and administer the funds used to provide special education and related services under this chapter, and hold title to and administer materials, equipment, and property purchased with those funds for the uses and purposes provided in Part B of IDEA.

The school district may place equipment and supplies in a private school for the period of time needed for the Part B program.

The school district shall ensure that the equipment and supplies placed in a private school are used only for the purposes of the Part B program and can be removed from the private school without remodeling the private school facilities.

- Children with disabilities in private schools placed or referred by public agencies; 300.145 – 300.147; ARSD 24:05:34:02

Determination of educational program costs for in-state placement of children for whom the state is responsible:

The school district in which the child under care and custody of the state resides is responsible for the identification, evaluation, and placement of the child pursuant to the rules in this article governing children in need of special education or special education and related services. The state is responsible for the costs of special education or special education and related services.

- Placement of children with disabilities by their parents in private schools when FAPE is an issue; 300.148; ARSD 24:05:31:01-07

Applicability:

The provisions of this chapter apply to eligible children who are or have been placed in or referred to a private school or facility by a school district as a means of providing special education or special education and related services and to eligible children placed in private schools by their parents when FAPE is at issue.

Responsibility of Department:

The department shall ensure that an eligible child who is placed in or referred to private school or facility by a school district is provided special education or special education and related services in conformance with an individual educational program which meets the requirements of this article at no cost to the parents and is provided an education which meets the standards that apply to state and local school districts, including requirements in this chapter, with the exception of requiring qualified special education teachers. The eligible child has all the rights of a child with a disability served by a school district.

Implementation by Department:

The department shall do the following to implement this chapter:

- (1) Monitor compliance with this chapter through procedures such as written reports, on-site visits, and parent questionnaires;
- (2) Disseminate copies of this chapter to each private school and facility to which a public agency has referred or placed an eligible child; and
- (3) Provide an opportunity for those private schools and facilities to participate in the development and revision of state standards which apply to them.

Placement of children by parents:

If an eligible child has available a free appropriate public education and the parents choose to place the child in a private school or facility, the public agency is not required by this chapter to pay for the child's education, including special education and related services, at the private school or facility. However, the public agency must include the child in the population whose needs are addressed consistent with chapter 24:05:32.

Disagreements between a parent and a public agency regarding the availability of a program appropriate for the child and the question of financial responsibility are subject to the due process procedures.

Reimbursement for private school placement:

If the parents of an eligible child, who previously received special education and related services under the authority of a school district, enroll the child in a private preschool, elementary, or secondary school without the consent of or referral by the school district, a court or hearing officer may require the school district to reimburse the parents for the cost of that enrollment if the court or hearing officer finds that the school district has not made a free appropriate public education available to the child in a timely manner before that enrollment and that the private placement is appropriate. A parental placement may be found to be appropriate by a hearing officer or court even if it does not meet the state standards that apply to education provided by the state and districts.

Limitations on reimbursements:

The cost of reimbursement described in 24:05:31:05 may be reduced or denied if:

- (1) At the most recent IEP team meeting the parents attended before removal of the child from the public school:
 - a. The parents did not inform the IEP team that they were rejecting the placement proposed by the school district to provide a free appropriate public education to their child, including stating their concerns and their intent to enroll their child in a private school at public expense; or
 - b. At least 10 business days, including holidays that occur on a business day, before the removal of the child from public school, the parents did not give written notice to the school district of the information described in subsection (a);
- (2) Before the parents' removal of the child from the public school, the school district informed the parents, through the notice requirements described in chapter 24:05:30, of its intent to evaluate the child, including a statement of the purpose of the evaluation that was appropriate and reasonable, but the parents did not make the child available for the evaluation; or
- (3) Upon a judicial finding of unreasonableness with respect to actions taken by the parents.

Exceptions to limitations on reimbursement:

Notwithstanding the notice requirements in 24:05:31:06, the cost of reimbursement may not be reduced or denied for failure to provide notice if:

- (1) Compliance with 24:05:31:06 would likely result in physical harm to the child;
- (2) The school prevented the parent from providing the notice; or
- (3) The parents had not received notice, pursuant to chapter 24:05:30, of the notice requirement in 24:05:31:06.

In addition, the cost of reimbursement, may, in the discretion of the court or hearing officer, not be reduced or denied for failure to provide this notice if the parents are not literate or cannot write in English, or if compliance with this section would likely result in serious emotional harm to the child.

SECTION XI: Compliance with SEA General Supervision Requirements and Implementation of Procedural Safeguards; 34 C.F.R. §§ 300.149 – 300.150; ARSD 24:05:30:01, ARSD 24:05:20:18; State Complaint Procedures; 34 C.F.R. §§ 300.151 – 300.153; ARSD 24:05:15

The district/cooperative and all member schools/districts will ensure compliance with all SEA procedures under general supervision and that programs meet the standards of the SEA. Specific references must include:

- Responsibility for general supervision and procedural safeguards; 300.149-150; ARSD 24:05:20:18; ARSD 24:05:30:01
- State complaint procedures; 300.151-153; ARSD 24:05:15

District Narrative: Review cited regulation to describe local implementation.)

The Deuel School District will comply with any and all requests for information from the South Dakota Department of Education, Special Programs Office related to its obligation to provide general supervision over LEAs in the state. This includes any and all requests for information or data related to monitoring and compliance with regulations as established by the SEA.

- Responsibility for general supervision and procedural safeguards; 300.149-150; ARSD 24:05:30:01

General responsibility of school district:

Each school district shall establish, maintain, and implement procedural safeguards which meet the requirements of this chapter.

Program Monitoring and Evaluation:

In conjunction with its general supervisory responsibility under the IDEA, Part B, the special education programs of the Office of Educational Services and Support shall monitor agencies, institutions, and organizations responsible for carrying out special education programs in the state, including any obligations imposed on those agencies, institutions, and organizations.

The department shall ensure:

- (1) Requirements of this article are carried out;
- (2) Each educational program for children with disabilities administered within the state, including each program administered by any other state or local agency, but not including elementary schools and secondary schools for Indian children operated or funded by the Secretary of the Interior:
 - a. Is under the general supervision of the persons responsible for educational programs for children with disabilities in the department; and
 - b. Meets the educational standards of the state educational agency, including the requirements of this article; and
- (3) In carrying out this article with respect to homeless children, the requirements of McKinney-Vento Homeless Assistance Act, as amended to January 1, 2007, are met.

- State complaint procedures; 300.151-153; ARSD 24:05:15

A complaint is a written signed statement by an individual or organization, including an individual or organization from another state, containing a statement that the department of education or a school district has violated a requirement of federal or state statutes, rules, or regulations that apply to a program and a statement of the facts on which the complaint is based. The complaint must allege a violation that occurred not more than one year before the date the complaint is received by the department. The written signed statement shall also include:

- (1) The signature and contact information for the complainant; and
- (2) If alleging violations with respect to a specific child:
 - a. The name and address of the residence of the child;
 - b. The name of the school the child is attending
 - c. In the case of a homeless child or youth, available contact information for the child and the name of the school the child is attending;
 - d. A description of the nature of the problem of the child, including facts related to the problem; and
 - e. A proposed resolution of the problem to the extent known and available to the party at the time the complaint is filed.

SECTION XII: FAPE Methods of Ensuring Services 34 C.F.R. § 300.154; ARSD 24:05:14:01.03, ARSD 24:05:14:01.06

The district/cooperative and all member schools/districts will ensure that public and/or private benefits available to a student with a disability are used appropriately, and that parents incur no cost in the provision of those services necessary for FAPE. Specific references must include:

- Restrictions and requirements on accessing public benefits (Medicaid); 300.154(d); ARSD 24:05:14:01.03
- Restrictions and requirements on accessing private benefits; 300.154(e); ARSD 24:05:14:01.03

- Use of Part B funds for services when parent consent is unable to be obtained; 300.154(f); ARSD 24:05:14:01.06

District Narrative: (Review cited regulation to describe local implementation.)

The Deuel School District ensures that public and private benefits available to a student with a disability will be used appropriately to support the provision of FAPE at no cost or harm to the parents.

- Restrictions and requirements on accessing public benefits (Medicaid); 300.154(d); ARSD 24:05:14:01.03

A public agency may use the Medicaid or other public benefits or insurance programs in which a student participates to provide or pay for services required under this article as permitted under the public benefit or insurance program, except as provided in this section. With regard to services required to provide FAPE to an eligible student under this article the public agency:

- (1) May not require parents to sign up for or enroll in public benefits or insurance programs in order for their student to receive FAPE under Part B of IDEA;
 - (2) May not require parents to incur an out-of-pocket expense such as the payment of a deductible or co-pay amount incurred in filing a claim for services provided pursuant to this article, but pursuant to 24:05:14:01.06, may pay the cost that the parent otherwise would be required to pay;
 - (3) May not use a student's benefits under a public benefits or insurance program if that use would:
 - a. Decrease available lifetime coverage or any other insured benefit;
 - b. Result in the family paying for services that would otherwise be covered by the public benefits or insurance program and that are required for the student outside of the time the student is in school;
 - c. Increase premiums or lead to the discontinuation of benefits or insurance; or
 - d. Risk loss of eligibility for home and community-based waivers, based on aggregate health-related expenditures;
 - (4) Must provide written notification to the student's parents pursuant to 24:05:14:01.04; and
 - (5) Must obtain written parental consent consistent with 24:05:29:13 before accessing a student's or parent's public benefits or insurance for the first time specifying:
 - a. Personally identifiable information
 - b. The purpose of disclosure
 - c. That disclosure will be made to the state Medicaid agency; and
 - d. That the parent understands and agrees that the public agency may access the parent's or student's public benefits or insurance to pay for services under this article.
- Restrictions and requirements on accessing private benefits; 300.154(e); ARSD 24:05:14:01.03
 - Use of Part B funds for services when parent consent is unable to be obtained; 300.154(f); ARSD 24:05:14:01.06

SECTION XIII: Hearings Related to LEA Eligibility 34C.F.R. § 300.155; ARSD 24:05:2023:01

The district/cooperative and all member schools/districts understand their right to a hearing regarding any final determination of the SEA on eligibility for funding under Part B.

District Narrative: (Review cited regulation to describe local implementation.)

The Deuel School District understands it has a right to a hearing before the SEA makes any final determination regarding eligibility for funding under Part B.

SECTION XIV: Personnel Qualifications 34 C.F.R. § 300.156; ARSD 24:05:16:16 & ARSD 24:05:16:01

The district/cooperative and all member schools/districts will ensure that personnel necessary to carry out the provision of special education and related services are appropriately and adequately prepared and trained, including that those personnel have the content knowledge and skills to serve children with disabilities, including related service personnel and paraprofessionals. Each district/cooperative will take measurable steps to recruit, hire, train, and retain highly qualified personnel to provide special education and related services to children with disabilities (24:05:16:05, ARSD).

District Narrative: (Review cited regulation to describe local implementation.)

The Deuel School District ensure that only appropriately certified and/or licensed professionals will be employed to provide services to students with disabilities. In addition, the district will provide ongoing training to all staff and paraprofessionals to assist all in the provision of services to students with disabilities. Further, the district ensures that each special education

teacher at the elementary, middle, and high school level is highly qualified per the standards of the ESEA. The district will take steps to recruit, hire, train and retain highly qualified personnel as specified under SD administrative rule.

- Personnel qualifications; ARSD 24:05:16:16

To ensure that all personnel necessary to carry out the purposes of Part B and Part C of the IDEA are appropriately and adequately prepared and trained, including ensuring that those personnel have the content knowledge and skills to serve children with disabilities, the department shall determine that all personnel providing special education or related services, including related services, paraprofessionals and assistants, early intervention, and early childhood personnel, perform these functions under state-approved or state-recognized certification or licensure or other comparable requirements that apply to the area in which the person is providing special education or related services. The department shall ensure that related services personnel who deliver services in their discipline or profession meet the requirements of this section and have not had certification or licensure requirements waived on an emergency, temporary, or provisional basis.

- Paraprofessionals and assistants; ARSD 24:05:16:01

Paraprofessionals and assistants who are appropriately trained and supervised in accordance with this section may be used to assist in the provision of special education and related services to children with disabilities under Part B of the IDEA. At a minimum, the following standards must be met:

- (1) Paraprofessionals must have a high school diploma or GED
- (2) Paraprofessionals must work within defined roles and responsibilities as identified by the school district,
- (3) Paraprofessionals must work under the supervision of, and be evaluated by, certified staff; and
- (4) Each school district must describe the training to be provided paraprofessionals in the staff development component of the district's comprehensive plan under 24:05:16:05.

Trainings opportunities available to the Special Education Director for the Deuel School District special education paraprofessionals can be found on the Council for Exceptional Children (CEC) website at <https://exceptionalchildren.org>. CPI trainings available to the Special Education Director for the Deuel School District special education paraprofessionals are instructed by the Northeast Services Cooperative staff. Training opportunities available to the Special Education Director for the Deuel School District staff can be found on the South Dakota Department of Education website at <https://sded.sd.gov/>.

SECTION XV: Performance Goals and Indicators 34 C.F.R. § 300.157; ARSD 24:05:14:13

The district/cooperative and all member schools/districts will ensure the implementation of state established performance goals and indicators for students with disabilities within their jurisdiction. Specific reference must include:

- Student information management system (SIMS)

District Narrative: (Review cited regulation to describe local implementation.)

The Deuel School District will comply with all requests by the SEA for data submission that is instrumental in monitoring the performance of the student population with respect to state established performance goals and indicators, and will submit such data on a timely basis.

SECTION XVI: Participation in Assessments 34 C.F.R. § 300.160; ARSD 24:05:14:14, ARSD 24:05:14:14.01

The district/cooperative and all member schools/districts will ensure that all children with disabilities are included in all general State and districtwide assessment programs, including those assessments described under section 1111 of the Elementary and Secondary Education Act (ESEA), with appropriate accommodations and alternate assessments where necessary, and as indicated in their respective individual education programs (IEP).

District Narrative: (Review cited regulation to describe local implementation.)

The Deuel School District ensures that all students with disabilities will be included in state and district assessments, with appropriate accommodations and alternate assessments when necessary. Parents will be informed of their child's participation during the course of the IEP meeting, including any necessary accommodations or any assessment that will be based on alternate or modified achievement standards.

The district will provide all necessary data to the SEA on the participation of students with disabilities in state and district wide testing programs and will, to the extent possible, utilize universal design principles in the development and administration of any assessments.

SECTION XVII: Supplementation of State, local, and other Federal Funds 34 C.F.R. §§ 300.162-163; ARSD 24:05:19:0

The district/cooperative and all member schools/districts will ensure the appropriate use of funds under Part B, consistent with 34 C.F.R. § 300.202(a)(1)(2)(3), to pay for the excess costs of providing special education and related services to children with disabilities within their jurisdiction and that such funds will be used to supplement state, local, and Federal funds, not supplant those funds.

- Maintenance of effort; 300.163; ARSD 24:05:19:08.03

District Narrative: (Review cited regulation to describe local implementation.)

The Deuel School District ensures appropriate use of funds under Part B to pay for the excess costs of providing special education and related services to children with disabilities. Available funding will be used to supplement state, local, and federal funds, and not supplant those funds.

SECTION XVIII: Public Information 34 C.F.R. § 300.165; ARSD 24:05:20:02

The district/cooperative and all member schools/districts will ensure that prior to the adoption of any policies necessary to comply with the requirements under Part B, including any amendments to policies and procedures, there will be public hearings, adequate notice of the hearings, and an opportunity for comment available to the general public, including individuals with disabilities and parents of individuals with disabilities. The district/cooperative will make available to parents of children with disabilities and the general public all documents relating to the district/cooperative eligibility under Part B of the IDEA.

District Narrative: (Review cited regulation to describe local implementation.)

The Deuel School District ensures that prior to the adoption of any policies or procedures that are needed to comply with Part B regulations, that there will be an opportunity for public input at a hearing with adequate notice of the hearing and the opportunity to provide input.

The annual submission of the Part B application will be preceded by adequate notice of a public hearing as part of the school board agenda, with an opportunity for public comment. All Part B applications are available to the public at their request through the district office and are available on the district's website.

SECTION XIX: State Advisory Panel 34 C.F.R. § 300.167-169; ARSD 24:05:14:18-19

The district/cooperative and all member schools/districts support the work of the State Advisory Panel to provide policy guidance to the SEA with respect to special education and related services for children with disabilities.

District Narrative: (Review cited regulation to describe local implementation.)

The Deuel School District supports the work of the State Special Education Advisory Panel and will refer interested parents to the appropriate state contact if they are interested in serving on the panel.

SECTION XX: Other Required Provisions 34 C.F.R. § 300.170 through 300.174.

The district/cooperative and all member schools/districts will ensure the following specific provisions have consistent policies for implementation at the local level. Specific references must include:

- Suspension and expulsion rates; 300.170; ARSD 24:05:14:16
- Annual description of Part B funds; 300.171; ARSD 24:05:21:03
- Access to instructional materials (NIMAC); 300.172; ARSD 24:05:14:17

- Over-identification and disproportionality; 300.173; ARSD 24:05:17:10
- Prohibition on mandatory medication; 300.174; ARSD 24:05:14:21

District Narrative:

The Deuel School District ensures that the specific provisions of 300.170 through 300.173 and 24:05:21:04, ARSD have been implemented at the district level, consistent with state policy.

- Suspension and expulsion rates; 300.170; ARSD 24:05:14:16

The department shall examine data, including data disaggregated by race and ethnicity, from local educational agencies and other state agencies, as appropriate, to determine whether significant discrepancies are occurring in the rate of long-term suspensions and expulsions of children with disabilities among local educational agencies in the state or compared to the rates for nondisabled children within the agencies. If discrepancies are occurring, the department shall review, and if appropriate, revise or require the affected local educational agency or state agency to review its policies, procedures, and practices relating to:

- (1) Development and implementation of IEPs
 - (2) Use of positive behavioral interventions and supports; and
 - (3) Procedural safeguards to ensure that these policies, procedures, and practices comply with IDEA, Part B.
- Annual description of Part B funds; 300.171; ARSD 24:05:21:03

The information required in an agency's comprehensive plan coupled with statements of expenditures, descriptions of the annual use of IDEA, Part B funds, and certification of federal assurances establish a local education agency's eligibility for funds under the IDEA, Part B.

- Access to instructional materials (NIMAC); 300.172; ARSD 24:05:14:17

The department shall adopt the National Instructional Materials Accessibility Standard (NIMAS), for the purpose of providing instructional materials to blind people or other people with print disabilities. Blind persons or other persons with print disabilities means children served under this article who qualify to receive books and other publications produced in specialized formats in accordance with the federal Act to Provide Books for Adults who are Blind, in accordance with 2 USC 135a, as amended to January 1, 2007.

In implementing NIMAS, the department shall coordinate with the NIMAC, and the department:

- (1) As part of any print instructional materials adoption process, procurement contract, or other practice or instrument used for purchase of print instructional materials, shall enter into a written contract with the publisher of the print instructional materials to:
 - a. Require the publisher to prepare and, on or before delivery of the print instructional materials, provide to NIMAC electronic files containing the contents of the print instructional materials using the NIMAS; or
 - b. Purchase instructional materials from the publisher that are produced in, or may be rendered in, specialized formats;
- (2) Shall provide instructional materials to blind persons or other persons with print disabilities in a timely manner.

In carrying out this section, the department, to the maximum extent possible, shall work collaboratively with the state agency responsible for assistive technology programs.

- Over-identification and disproportionality; 300.173; ARSD 24:05:17:10

The department shall provide for the collection and examination of data to determine whether any inappropriate overidentification or significant disproportionality based on race and ethnicity is occurring in the state and in districts of the state with respect to:

- (1) Identification of children as children with disabilities, including the identification of children as children with disabilities in accordance with a particular impairment described in Chapter 24:05:24.01
- (2) The placement in particular educational settings of these children; and
- (3) The incidence, duration, and type of disciplinary actions, including suspensions and expulsions.

In the case of a determination of inappropriate overidentification or significant disproportionality with respect to the identification of children as children with disabilities, or the placement in particular settings of these children, the department shall provide for the review of and, if appropriate, revision of the policies, procedures, and practices used in the identification or placement to ensure compliance with the requirements of Part B of the IDEA; require any district identified under this section to reserve the maximum amount of funds allowable to provide comprehensive coordinated early intervening services to serve children in the district, particularly, but not exclusively, children in those groups that were significantly overidentified under this section; and require the district to publicly report on the revision of policies, practices, and procedures described under this section.



- Facilities Update-
 - East Wall-
 - Signage-
 - Parking Lot-
 - Mural-
 - Windows-
- 1003 Competitive Grant-
- Virtual Tour-
- Summer School-
- Survey Results-

UPCOMING EVENTS

- Interim board meeting-June 24th, 6pm
- Regular Meeting/Annual Meeting-July 8th



I. Elem. Principal

a. May Student of the Month

- JK - Harper Kloos
- K - Evan Bauman
- 1st - Boyd Sime
- 2nd - Kade Bucknell
- 3rd - Payton Broksieck
- 4th - Ava Timmons
- 5th - Owen Andringa

b. May Cardinal Card Winners

- Harper Kloos
- Kutter Engelbrecht
- Amelia McNamara
- Emily Olivarez
- Audrey Lilly

c. Summer School

- i. 39 students participating
- ii. 20 of those students are utilizing school transportation
- iii. 13 teachers agreed to help teach this summer

d. Data Retreat

- i. June Interim meeting

e. Elementary Handbook – first reading

II. Athletic Director

Congratulations to the state track qualifiers!

- a. Boys 100 - Oliver Fieber
- b. Girls 200 – Addison Timmons
- c. Boys 200 - Oliver Fieber
- d. Boys 400 - Caleb Ronne
- e. Girls 1600 - Jaycee Hourigan
- f. Girls 3200 - Jaycee Hourigan
- g. Boys 110 H - Gabe Sather

- h. Girls 4 x 100 - Addison Timmons, Sophie Trupe, Lacey Andersen, Alayna Carlson (ALT Josie Andersen)
- i. Girls 4 x 200 - Addison Timmons, Sophie Trupe, Lacey Andersen, Alayna Carlson (ALT Josie Andersen)
- j. Boys 4 x 200 - Axel Gallardo, Caleb Ronne, Gavin Kloos, Oliver Fieber (ALT Chris Gallardo)
- k. Girls Medley Relay - Addison Timmons, Alayna Carlson, Sophie Trupe, Jaycee Hourigan
- l. Boys Shot- Rob Begalka
- m. Boys Disc- Rob Begalka
- n. Girls Javelin- Josie Andersen, Kayden Russell
- o. Girls Pole Vault- Makia Moe, Hannah Cutshaw, Rylie Bass, Kandi Berndt

State Track Places

Mens Results

Shot Put - 12lb Class A - Finals Field Series

3. 12 Robert Begalka 51-03.75 Deuel

Discus - 1.6kg Class A - Finals Field Series

5. 12 Robert Begalka 145-02 Deuel

Womens Results

1600 Meters Class A - Finals

21. 11 Jaycee Hourigan 5:34.93a Deuel

3200 Meters Class A - Finals

17. 11 Jaycee Hourigan 12:06.41a SR Deuel

SMR 1600m - [200-200-400-800] Class A - Finals

18. 10 Addison Timmons 4:29.62a Deuel - A

9 Alayna Carlson

8 Sophie Trupe

11 Jaycee Hourigan

Javelin - 600g Class A - Finals Field Series

6. 12 Josie Andersen 108-07 PR Deuel

21. 11 Kayden Russell 76-00 Deuel

Pole Vault Class A - Finals Field Series

6. 11 Makia Moe 10-07.00 PR Deuel

15. 10 Rylie Bass 8-07.00 Deuel

20. 9 Hannah Cutshaw 8-07.00 Deuel

State Softball

- Congratulations to the softball team on placing 7th in the SDHSAA State Softball Tournament

State Golf

- Congratulations to the following for qualifying for the state golf meet.
 1. Victoria Preheim
 2. Annika Kriz
 3. Jared Hotzler
 4. Trey Maaland
 5. Emmitt Schwiesow
- Congratulations to Annika Kriz on placing 5th at the state golf meet



Business Manager Board Report

School Board Election, June 18, 2024 & Absentee Voting

Food Service Training:

June 11, 2024 – Anita & Ellen

July 18, 2024 – Anita & Ellen

July 30, 2024 – Entire Kitchen Staff

New Business Manager Workshop – July 9-11, 2024

Northeast Educational Services Cooperative
Advisory Board Meeting
Wednesday, May 1, 2024

The Advisory Board for the Northeast Educational Services Cooperative (NESC) met Wednesday, May 1, 2024 at HyVee in Watertown, South Dakota. The meeting was called to order by President Schuster at 10:02 A.M. and adjourned at 10:48 A.M.

Present: Brian Sampson, Arlington; Steve Benson, Britton-Hecla; Peter Books, Castlewood; Travis Ahrens, Clark; Abi Van Regenmorter, DeSmet; Kimberly Kludt, Deubrook; Chad Schiernbeck, Deuel; Brian Jandahl, Elkton; Paul Vonfischer, Estelline; Mitch Reed, Florence; Jim Hulscher, Hamlin; Todd Obele, Henry; Dana Felderman, Lake Preston; Dawn Hoeke, Oldham/Ramona/Rutland (ORR); Laura Schuster, Sioux Valley; Scott Lepke, Waubay; Jon Meyer, Waverly/South Shore; Jim Block, Webster; Chris Lee, Willow Lake; Larry Hulscher, Wilmot

Absent: Nadine Eastman, Enemy Swim; Mike Ruth, Iroquois; Spencer Oland, Rosholt; Mike Schmidt, Summit

Others Attending: Andrea Powell, Director; Tiffany Stormo, Business Manager; Tim Frewing, Assistant Director

ADVISORY BOARD AGENDA

Call to Order

President Schuster called the meeting to order at 10:02 A.M.

Motion by P. Books and second by S. Lepke to approve the agenda as presented. All present voting in favor, motion carried.

Conflict of Interest

No conflicts of interest were presented.

Financial Report

Business Manager Stormo reviewed the financial report for March 2024.

Motion by B. Sampson and second by D. Hoeke to approve March 2024 financial report. All present voting in favor, motion carried.

Discussion of FY25 Preliminary Budget

Business Manager Stormo reviewed the preliminary budget for FY25.

OT and COTAs

Director Powell informed the board that a COTA was hired.

Comprehensive Plan and GMS Documentation

Director Powell stated that comprehensive plans would be coming due. GMS documentation is due to Powell.

Paper Purchase

Business Manager Stormo discussed with the board COOP paper purchasing.

Motion by A. Van Regenmorter and second by J. Meyer to approve moving forward on paper purchase. All present voting in favor, motion carried.

Superintendent Rotation

The term for Representative Jim Block from large schools was set to end in 2024. Mitch Reed resigned his medium school position.

Motion by C. Lee and second by C. Schiernbeck to approve nomination of Travis Ahrens to represent large schools. All present voting in favor, motion carried.

Motion by A. Van Regenmorter and second by P. Vonfischer to approve nomination of Kimberly Kludt to represent medium schools. All present voting in favor, motion carried.

Todd Obele from small schools will continue his term.

Election of Chairperson for 24-25

Motion by L. Schuster and second by A. Van Regenmorter to approve nomination of Peter Books as Chairperson. All present voting in favor, motion carried.

Motion by P. Books and second by D. Felderman to approve nomination of Chris Lee as Vice-President. All present voting in favor, motion carried.

Updated Policy and Bylaws

Assistant Director Frewing reviewed policy and bylaw updates.

Approval of Drug and Alcohol Testing

Motion by P. Books and second by C. Lee to approve Minert & Associates Inc. for Drug and Alcohol Testing.

School Calendars for 24-25

Director Powell asked school districts to send her their school calendars for 24-25 by May 10, 2024.

Further Discussion

Discussion was held about property and liability insurance providers. Director Powell informed the BOA about an IEP workshop being held on August 6-7 at LATC. The next BOA meeting is tentative for August.

Adjournment

There being no further business, motion by T. Ahrens, second by L. Hulscher to adjourn. All present voting in favor, motion carried.

Tiffany Stormo, Business Manager

Northeast Educational Services Cooperative
Board of Directors Meeting
Monday, May 20, 2024

The Board of Directors for the Northeast Educational Services Cooperative (NESC) met in regular session on Monday, May 20, 2024 via Zoom and at Lake Area Technical College in Watertown, SD. The meeting was called to order by President Schuurman at 7:00 P.M. and adjourned at 7:53 P.M.

Members present:

In-Person:

Jason Julius, Castlewood; Malory McIntire, Clark; Arend Schuurman, Elkton; Penny Thyen, Waverly/South Shore

Zoom:

Megann Murphy, Arlington; Audrey Schuller, Britton-Hecla; Michelle Prins, Deuel; Lisa Lauterhahn, Enemy Swim Day School; Tara Abraham, Hamlin – left at 7:23 P.M.; Audrey Rider, Henry; Michelle Kooima, Lake Preston – entered at 7:05 P.M.; Jayme Trygstad, Sioux Valley; Lisa Amdahl, Summit; Martin Looyenga, Webster; Tia Felberg, Willow Lake

Absent:

Norm Koehlmoos, DeSmet; Laura Crooks, Deubrook; Chris Verhoek, Estelline; Jon Kahnke, Florence; Greg Bich, Iroquois; Carrie Schiernbeck, ORR; Lana Sand, Rosholt; Art Berger Jr., Waubay; Natalie Remund, Wilmot

Others Attending:

NESC Staff Representatives: Stephanie Hayunga (Z); Shelly Skogstad (Z)

Member District Superintendents: Dr. Jim Block, Webster (Z), Todd Obele, Henry (Z)

NESC Administration: Andrea Powell, Director; Tiffany Stormo, Business Manager; Tim Frewing, Assistant Director

Guests: Anneke Nelson, Travis Ahrens, Kim Kludt

Call to Order

President Schuurman called the meeting to order at 7:00 P.M.

Introduction of Guests

Dr. Jim Block, Todd Obele, Anneke Nelson, Stephanie Hayunga, Shelly Skogstad, Travis Ahrens and Kim Kludt were introduced as guests.

Public Comment

No public comment was presented.

Agenda Review, Changes, and Approval

Action #24-78 Motion by M. McIntire, second by P. Thyen, to approve the agenda with the following changes: add 7c) Approval of Unit 1 Master Negotiated Agreement; remove 7e) Approval of hire – Shannon Lawrence, ESY. All present voted, motion carried.

Conflict of Interest

No conflicts of interest were presented.

Financial Report

Action #24-79 Motion by M. McIntire, second by J. Trygstad, to approve the financial report for the period ending April 30, 2024. All present voted, motion carried.

	<u>General Fund</u>	<u>Special Education Fund</u>	<u>Agency Fund</u>
April 1, 2024	\$222,193.99	\$1,079,564.03	\$8,023.01
<u>Receipts:</u>			
Local Sources	\$89,386.29	\$242,764.15	\$658.32
State Sources		\$46,499.33	
Federal Sources		\$178,031.00	
Other			
<u>Total Monthly Receipts</u>	<u>\$89,386.29</u>	<u>\$467,294.48</u>	<u>\$658.32</u>
Balance Forward	\$311,580.28	\$1,546,858.51	\$8,681.33
Manual Journal Entries	-\$50,000.00	\$50,000.00	
Less Salaries	\$3,532.99	\$353,921.14	
Less Disbursements	\$30,632.69	\$127,135.80	\$829.33
<u>Total Salaries & Disbursements</u>	<u>\$34,165.68</u>	<u>\$481,056.94</u>	<u>\$829.33</u>
Ending Cash Balance			
April 30, 2024	\$227,414.60	\$1,115,801.57	\$7,852.00

Consent Agenda

Action #24-80 Motion by L. Amdahl, second by M. Murphy to approve the following items on the Consent Agenda: 7a) Approval of April 15, 2024 Board of Directors minutes; 7b) Approval of payment of May 2024 budget claims; 7c) Approval of Unit 1 Master Negotiated Agreement, Unit 1, ESY, Paraprofessional and Custodial Contracts; 7d) Approval of resignation – Christy Busskohl – SLP; 7e) Approval of Contracts: Jenna Leuthold – COTA – FY25 – 200 days - \$41,250.00; Taryn Opdahl – ESY - \$32.00/hr. All present voting in favor, motion carried.

May 2024 Accounts Payable

General Fund: AUTOMAXX CDJR, INC. FLEET MAINT 34.19; BMO MASTERCARD PURCH SVCS, TRAVEL, PHONE, SPLS 239.06; BYTESPEED, LLC TECH EQ 1,262.43; CENEX FLEETCARD FLEET MAINT 7,088.29; CENTURY BUSINESS PRODUCTS, INC COPIER MAINT CONTRACT 15.81; DUST TEX SERVICE, INC. APRIL RUG USE 7.16; EMC INSURANCE ADD VEH INS COV 14.13; FRANKMAN MOTOR COMPANY FLEET MAINT 91.54; HAMLIN COUNTY FARMERS COOP FLEET MAINT 827.54; HEALTH EQUITY HSA/FLEX 2.49; JEFF'S VACUUM CENTER VACUUM MAINT 4.09; MCINTIRE, MALORY STEERING MI 7.07; MINERT & ASSOCIATES, INC DRUG TESTING 623.00; NESC IMPREST 34.24; NESC PAYROLL MAY 2024 3,704.69; OTTERTAIL POWER CO. ELEC 18.55; PALMLUND AUTOMOTIVE FLEET MAINT 44.65; PRINS, MICHELLE STEERING MI 5.97; REMUND, NATALIE STEERING MI 10.37; RIVERSIDE TECHNOLOGIES, INC. TECH EQ 121.05; ROB'S AUTO REPAIR FLEET MAINT 2,369.23; SAND, LANA STEERING MI 17.07; SCHURMAN, AREND STEERING MI 12.12; THYEN, PENNY STEERING MI 5.42; TIME MANAGEMENT SYSTEMS, INC TIME CLOCK 1.88; VERHOEK, CHRISTOPHER STEERING MI 4.50; W.W. TIRE SERVICE FLEET MAINT 203.20; WATERTOWN PUBLIC OPINION MINUTES 10.00; WEBSTER AUTO CARE FLEET MAINT 218.94

Fund Total: \$16,998.68

Special Education Fund: BMO MASTERCARD PURCH SVCS, TRAVEL, PHONE, SPLS 19,663.17; BOSSE, JENNIFER APRIL MI REIMB 110.16; BYTESPEED, LLC TECH EQ 12,764.57; CASTLEWOOD SCHOOL DISTRICT APRIL CB USE FEE 593.36; CENTURY BUSINESS PRODUCTS, INC COPIER MAINT CONTRACT 159.83; DUST TEX SERVICE, INC. APRIL RUG USE 72.39; EMC INSURANCE ADD VEH INS COV 142.87; HAMLIN SCHOOL DISTRICT APRIL CB USE FEE 988.94; HEALTH EQUITY HSA/FLEX 25.21; JEFF'S VACUUM CENTER VACUUM MAINT 41.36; LAKE PRESTON SCHOOL DISTRICT APRIL CB USE FEE 593.37; MCINTIRE, MALORY STEERING MI 71.47; MITCHELL TECHNICAL INSTITUTE SLP REGIS 196.00; NESC IMPREST 160.00; NESC PAYROLL MAY 2024 385,729.74; OTTERTAIL POWER CO. ELEC 187.60; PRINS, MICHELLE STEERING MI 60.33; REMUND, NATALIE STEERING MI 104.89; RIVERSIDE TECHNOLOGIES, INC. TECH EQ 1,223.95; SAND, LANA STEERING MI 172.65; SCHURMAN, AREND STEERING MI 122.52; THYEN, PENNY STEERING MI 54.76; TIME MANAGEMENT

SYSTEMS, INC TIME CLOCK 102.36; VERHOEK, CHRISTOPHER STEERING MI 45.48; WATERTOWN PUBLIC OPINION MINUTES 101.08; WEBSTER SCHOOL DISTRICT APRIL CB USE FEE 988.94; WIESE, RITA MARCH - APRIL MI REIMB 42.84; WILLIAMS, THEODORE PSYCH CONTRACTED SERVICES 5,551.10

Fund Total: \$430,070.94

Discussion Items

Assistant Director's Report

Assistant Director Frewing gave his monthly report.

Director's Report

Director Powell gave her monthly report.

FY25 Preliminary Budget

Business Manager Stormo stated no changes were made to the preliminary budget for FY25.

By-Laws and Policy Updates

Assistant Director reviewed the first reading of by-laws and policy updates.

EMC Property Insurance

Business Manager Stormo discussed EMC property insurance.

Executive Session

No executive session was held.

Action Items

Approval of Unit 2 Master Negotiated Agreement

Action #24-81 Motion by J. Trygstad, second by P. Thyen, to approve implementing the provisions of its last best offer, including tentative agreements, as relates to Unit 2 and 2024 negotiations pursuant to SDCL 3-18-8.2. All present voting in favor, motion carried.

Approval of Nationally Certified Teacher years 6-10

Action #24-82 Motion by M. McIntire, second by J. Julius, to approve the \$1,000 stipend match with the state for National Certified Teacher credentials for years 6-10. All present voting in favor, motion carried.

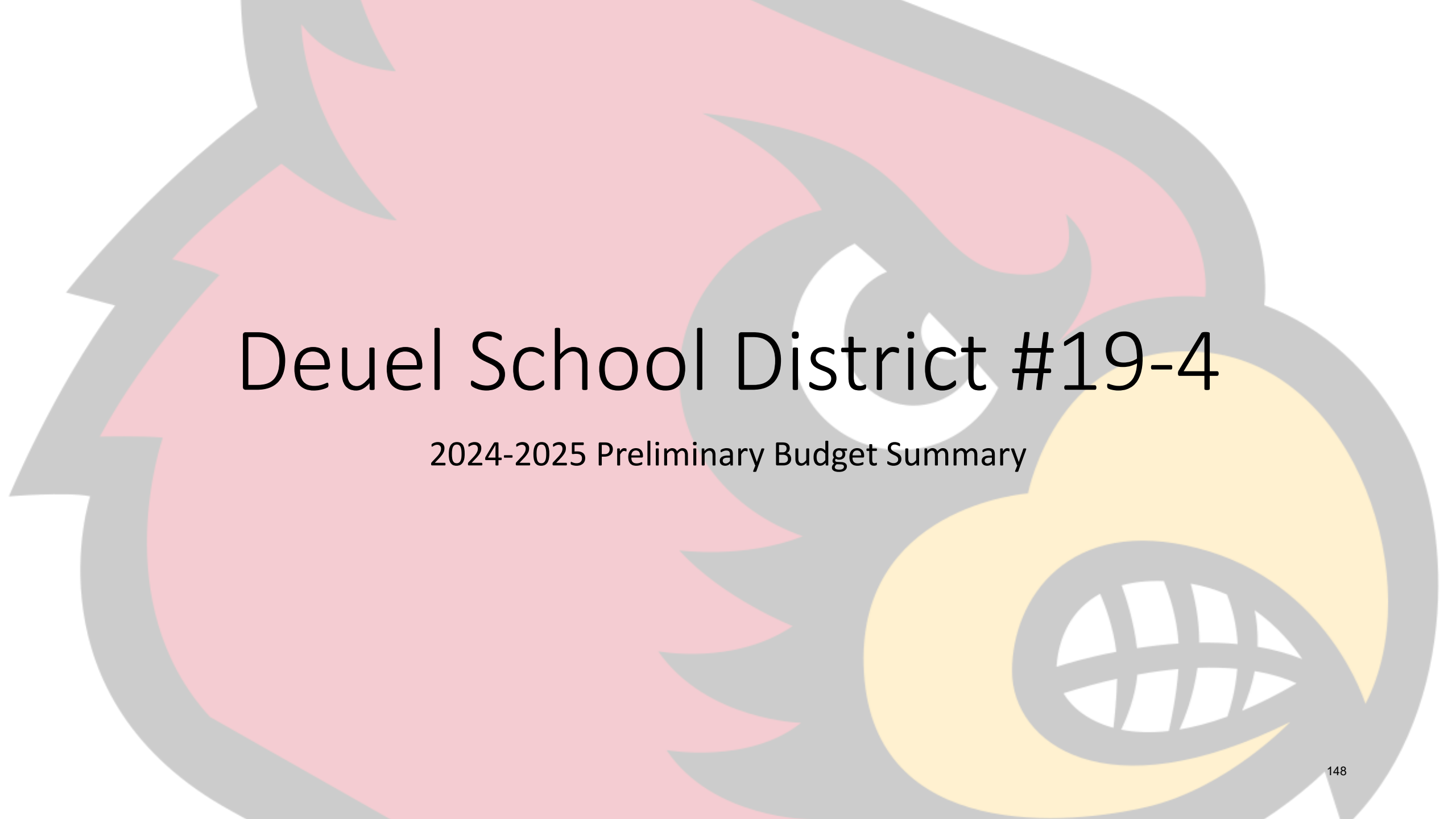
Adjournment

Action #24-83 With there being no further business, motion by J. Trygstad, second by M. McIntire, to adjourn. All present voted, motion carried.

The next NESC Board of Directors meeting will be held at Lake Area Technical College in Watertown, SD on Monday, June 17, 2024 at 7:00 P.M.

Arend Schuurman, President

Tiffany Stormo, Business Manager



Deuel School District #19-4

2024-2025 Preliminary Budget Summary

Changes

- Reclassifications – General Fund to Capital
- Additional Revenues
- Added Election & Perkins

Taxable Valuations

2023 pay 2024 Valuations

Ag:	\$448,206,438
OO:	\$185,311,130
Mobile:	\$1,588,688
Mobile – OO:	\$2,292,662
Other:	\$113,345,180
Total:	\$750,744,098

2024 pay 2025 Valuations

Ag:	\$474,975,301
OO:	\$213,895,982
Mobile:	\$1,824,200
Mobile – OO:	\$2,304,406
Other:	\$130,428,721
Total:	\$823,428,610

*Values provided by Deuel County Auditor

General Fund Levies

2022 pay 2023

Ag: \$1.362

OO: \$3.048

OTH: \$6.308

2023 pay 2024

Ag: \$1.320

OO: \$2.954

OTH: \$6.113

Budgeted 2024 pay 2025

Ag: \$1.197

OO: \$2.679

OTH: \$5.544

*Levies provided by the state

General Fund Expenditures \$5,097,372

FY25 budget includes \$100,414 use of fund balance

Considerations taken:

\$4,089,719 Salaries/Extra Curricular Salaries/Taxes/Benefits

\$700,000 from Wind Towers utilized (not transferred to Capital)

Revenue sources: \$4,996,958

Local/County: \$2,308,875

State: \$2,453,145

Federal: \$206,938

Preliminary Capital Outlay Fund Levies

2023 pay 2024

\$1,800,000 (\$3,400 per student)

Proposed 2024 pay 2025

\$1,917,600 (\$3,760 per student x 510 students)

Capital Outlay Expenditures \$1,374,273

FY25 budget includes \$636,527 contribution to fund balance.

Considerations taken:

\$127,000 for school bus

\$617,482 for CO certificate repayment

Revenue sources: \$2,010,800

Local/County: \$1,883,800

Federal: \$127,000

Preliminary Special Education Fund Levies

2023 pay 2024

\$735,000 (\$0.936/\$1,000)

Proposed 2024 pay 2025

\$1,069,162 (\$1.40/\$1000)

Max levy

\$1.4288/\$1,000 or \$1,206,065

Special Education Expenditures \$1,075,825

FY25 budget includes \$14,337 to fund balance

Considerations taken:

Increase in special education department staff (replacing teacher who was not replaced in 2023-2024)

Revenue sources: \$1,090,162

Local/Medicaid: \$1,090,162

Food Service Expenditures \$400,905

FY25 budget includes \$78,905 deficit (transfer from general fund/capital)

Considerations taken:

Climbing prices of produce/products

Revenue sources: \$322,000

Local: \$210,000

Federal: \$112,000

May fluctuate based on federal meal reimbursement rates

Other Enterprise Expenditures \$11,420

FY25 budget includes \$2,420 deficit

Considerations taken:

Drivers' Education

Revenue sources: \$9,000

Local: \$9,000

Questions

Ellen Schmahl
Business Manager
Deuel School District #19-4
PO Box 770
Clear Lake, SD 57226
Ellen.Schmahl@k12.sd.us
605-874-2161 ext. 203

Deuel School District # 19-4

2024-2025

	GENERAL FUND	CAPITAL OUTLAY FUND	SPECIAL EDUCATION FUND	CAPITAL PROJECTS FUND	FOOD SERVICE FUND	OTHER ENTERPRISE FUND	TOTAL
2023-2024 Revenue							
Local Revenue							
AdValorem Taxes	\$ 1,922,975	\$ 1,858,800	\$ 1,069,162	\$ -	\$ -	\$ -	\$ 4,850,937
Mobile Home Taxes	13,000	3,000	2,500	-	-	-	18,500
Prior Year Taxes	10,000	4,000	4,000	-	-	-	18,000
Tax Deed Revenue	-	-	-	-	-	-	-
Gross Receipts Tax	250,000	-	-	-	-	-	250,000
Penalties and Interest	4,000	3,000	1,500	-	-	-	8,500
Driver Education Fees	-	-	-	-	-	9,000	9,000
Earnings on Investment	35,000	15,000	10,000	-	-	-	60,000
Concessions	35,000	-	-	-	-	-	35,000
Activities Revenue	24,100	-	-	-	-	-	24,100
Annual Sales	800	-	-	-	-	-	800
Facility Rent	3,000	-	-	-	-	-	3,000
Meal and Milk	-	-	-	-	210,000	-	210,000
Misc. Revenue	7,000	-	-	-	-	-	7,000
Misc. Grants	-	-	-	-	-	-	-
Preschool fees	-	-	-	-	-	-	-
Head Start Reimb.	-	-	-	-	-	-	-
Medicaid Reimb.	-	-	2,000	-	-	-	2,000
Medicaid Admin. Reimb	4,000	-	1,000	-	-	-	5,000
Total Local Revenue	\$ 2,308,875	\$ 1,883,800	\$ 1,090,162	\$ -	\$ 210,000	\$ 9,000	\$ 5,501,837
County Revenue							
County Apportionment	\$ 28,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 28,000
PILT Revenue	-	-	-	-	-	-	-
	\$ 28,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 28,000
State Revenue:							
State Aid	\$ 1,688,145	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,688,145
State Apportionment	40,000	-	-	-	-	-	40,000
Renewable Facilities Tax	700,000	-	-	-	-	-	700,000
Bank Franchise Tax	25,000	-	-	-	-	-	25,000
Other State Revenue	-	-	-	-	-	-	-
Total State Revenue	\$ 2,453,145	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,453,145
Federal Revenue:							
Esser I	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Esser II	-	-	-	-	-	-	-
Esser III	43,500	127,000	-	-	-	-	170,500
Title I	75,000	-	-	-	-	-	75,000
Title IV-A / REAP	30,000	-	-	-	-	-	30,000
IDEA Preschool	-	-	-	-	-	-	-
Perkins	58,438	-	-	-	-	-	58,438
Federal Meal Reimb.	-	-	-	-	92,000	-	92,000
Federal Commodities	-	-	-	-	20,000	-	20,000
Title II Part A	-	-	-	-	-	-	-
Total Federal Revenue	\$ 206,938	\$ 127,000	\$ -	\$ -	\$ 112,000	\$ -	\$ 445,938
Total Revenue	\$ 4,996,958	\$ 2,010,800	\$ 1,090,162	\$ -	\$ 322,000	\$ 9,000	\$ 8,428,920
Transfers In	-	-	-	-	-	-	-
Balance From (To) Fund Balance	100,414	(636,527)	(14,337)	250,000	78,905	2,420	(219,125)
TOTAL MEANS OF FINANCE	\$ 5,097,372	\$ 1,374,273	\$ 1,075,825	\$ 250,000	\$ 400,905	\$ 11,420	\$ 8,209,795
	GENERAL FUND	CAPITAL OUTLAY FUND	SPECIAL EDUCATION FUND	CAPITAL PROJECTS FUND	FOOD SERVICE FUND	OTHER ENTERPRISE FUND	TOTAL
2023-2024 Expenditures							
Instruction:							
Elementary	\$ 1,154,350	\$ 31,050	-	\$ -	\$ -	\$ -	\$ 1,185,400
Middle School	447,950	15,200	-	-	-	11,420	474,570
High School	906,088	26,600	-	-	-	-	932,688
Preschool	82,500	-	-	-	-	-	82,500
Head Start	-	-	-	-	-	-	-
Professional Development	-	-	-	-	-	-	-
Drug and Alcohol	-	-	-	-	-	-	-
Mild to Moderate Disability	-	-	712,600	-	-	-	712,600

Severe Disability	-	-	202,900	-	-	-	\$	202,900
Residential Tuition	-	-	-	-	-	-	\$	-
Early Childhood	-	-	11,400	-	-	-	\$	11,400
Title I	100,060	590	-	-	-	-	\$	100,650
Total Instruction	\$ 2,690,948	\$ 73,440	\$ 926,900	\$ -	\$ -	\$ 11,420	\$	3,702,708

Support Service:

Guidance-HS	\$ 127,650	\$ -	\$ -	\$ -	\$ -	\$ -	\$	127,650
Guidance-Elem	73,400	-	-	-	-	-	\$	73,400
Psychological Services	-	-	26,400	-	-	-	\$	26,400
Speech Services	-	-	38,600	-	-	-	\$	38,600
Physical Therapy	-	-	9,600	-	-	-	\$	9,600
Occupational Therapy	-	-	15,600	-	-	-	\$	15,600
Health Services	15,500	-	-	-	-	-	\$	15,500
Staff Training	18,000	-	-	-	-	-	\$	18,000
Library	24,050	8,250	-	-	-	-	\$	32,300
Technology Coordinator	71,585	144,800	-	-	-	-	\$	216,385
Board of Education	65,725	-	1,325	-	-	-	\$	67,050
Executive Administration	170,520	-	-	-	-	-	\$	170,520
Office of Principals	247,530	-	57,400	-	-	-	\$	304,930
Fiscal Services	177,490	15,000	-	-	-	-	\$	192,490
Operation of Plant	409,494	308,000	-	-	-	-	\$	717,494
Maintenance	231,740	-	-	-	-	-	\$	231,740
Transportation	372,300	127,000	-	-	-	-	\$	499,300
Food Service	35,000	-	-	-	400,905	-	\$	435,905
Special Milk	-	-	-	-	-	-	\$	-
Residential Cost	-	-	-	-	-	-	\$	-
Internal Support Service	17,000	15,600	-	-	-	-	\$	32,600
Total Support Services	\$ 2,056,984	\$ 618,650	\$ 148,925	\$ -	\$ 400,905	\$ -	\$	3,225,464

Non-Programmed Charges

Lease Payments	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$	-
Debt Service / Building Procurement	-	617,483	-	250,000	-	-	\$	867,483
Total Non-Programmed Charges	\$ -	\$ 617,483	\$ -	\$ 250,000	\$ -	\$ -	\$	867,483

Activities:

Boy's	\$ 87,000	\$ 16,000	\$ -	\$ -	\$ -	\$ -	\$	103,000
Girl's	87,500	26,000	-	-	-	-	\$	113,500
Co-Curricular	139,640	22,700	-	-	-	-	\$	162,340
Transportation	35,300	-	-	-	-	-	\$	35,300
Total Activities	\$ 349,440	\$ 64,700	\$ -	\$ -	\$ -	\$ -	\$	414,140

Contingency

	\$ -						\$	-
Total All Expenditures	\$ 5,097,372	\$ 1,374,273	\$ 1,075,825	\$ 250,000	\$ 400,905	\$ 11,420	\$	8,209,795
Transfers Out	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$	-
Total Expenditures and Transfers	\$ 5,097,372	\$ 1,374,273	\$ 1,075,825	\$ 250,000	\$ 400,905	\$ 11,420	\$	8,209,795

NOTICE OF HEARING

For the 2024-2025 Budget

Notice is hereby given that the School Board of the Deuel School District #19-4 will conduct a public hearing in the administration conference room of the Deuel School in Clear Lake, South Dakota on Monday the 8th day of July, 2024, at 6:30 p.m. for the purpose of considering the Proposed Budget for the fiscal year of July 1, 2024 through June 30, 2025.

Ellen Schmahl, Business Manager
Deuel School District #19-4