

# ***CHEYENNE EAGLE BUTTE SCHOOL***

## ***MISSION STATEMENT:***

**To prepare students with the academic, spiritual, physical, cultural, and social skills needed to be productive world citizens and lifelong learners in a technological world.**

## ***OUR VISION:***

**Keeping our Wakanyaja (children) sacred through positive thinking and positive actions.**

# **Cheyenne-Eagle Butte Staff Handbook**



## **2020-2021**

Board Approved July

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## OUR MISSION:

**To prepare students with the academic, spiritual, physical, cultural, and social skills needed to be life-long learners and productive world citizens in a technological world.**

## STUDENT EXPECTATIONS:

<b>B</b>	<b>BE PREPARED</b> for learning
<b>R</b>	Take <b>RESPONSIBILITY</b> for self and actions
<b>A</b>	Choose a positive <b>ATTITUDE</b>
<b>V</b>	Build character through <b>VALUES</b>
<b>E</b>	Strive for <b>EXCELLENCE</b>
<b>S</b>	Promote a positive <b>SAFE</b> Environment

**PURPOSE:** This handbook has been designed to provide you with an overview of the Cheyenne-Eagle Butte School employment policies and procedures, and your benefits and expectations as a C-EB employee. Please read it carefully and keep it for future reference. This handbook cannot

anticipate every situation or answer every question about employment. For additional information review the complete Personnel Policies or contact your Human Resources personnel or your direct supervisor.

**INDIAN PREFERENCE:** (95-561 BIE positions): The BIE is required by law to give preference to persons of Indian descent in filling positions, whether through initial appointment or advancement.

**COVID times – Due to the uncertain times connected to the current pandemic, hours, mode of services to students, and school related services regarding student safety, some policies, routines and procedures may be changed to meet the new needs of students. This will be determined following CDC, state and federal guidelines, and administration will act in the best interest of students at all times in making decisions.**

## **GENERAL INFORMATION FOR ALL STAFF**

**COMPLAINT PROCEDURE:** Discrimination, harassment, program complaints, and all Federal programs shall be addressed in writing to the 95-561 School Supervisor or the 20-1 Superintendent who will investigate, render a decision, and provide notification of the decision to the complaint in a timely manner. A parent/guardian, student, employee, or school stakeholder who has a complaint regarding the use of Federal ESEA funds and is unable to solve the issue, may address the complaint in writing to the to the 95-561 School Supervisor or the 20-1 Superintendent. Disputes addressing the enrollment, transportation (including inter-school disputes), and other barriers to the education of children and youth experiencing homelessness are also addressed under this procedure. Parents and guardians, and unaccompanied youth may initiate the dispute resolution process directly at the school they choose, as well as at the school's homeless liaison's office. The parent or guardian or unaccompanied youth shall be provided with a written explanation of the school's decision including the rights of the parent, guardian, or youth to appeal the decision. Students should be provided with all assignments for which they are eligible while disputes are resolved.

Steps:

1. The School Supervisor or Superintendent will investigate the written complaint and render a decision, within two weeks, after receipt of the complaint.

2. The School Supervisor or Superintendent will notify the complainant of the decision in writing.
3. The complainant will be allowed one week to react to the decision before it becomes final.
4. The complainant will either accept or disagree with the decision and will provide such acknowledgement in writing, addressed to the School Supervisor or Superintendent.
5. If the issue is not resolved with the School Supervisor or Superintendent, the complaint will be forwarded to the appropriate Board of Education for further review. The parent or guardian or unaccompanied youth shall be provided with a written explanation of the Board's decision including the rights of the parent, guardian, or youth to appeal the decision.
6. Unresolved complaints may be forwarded by the complainant to the South Dakota Department of Education for review. (Consult SD Department of Education Complaint Procedure.)

**PUBLIC COMPLAINT PROCEDURE:** Cheyenne-Eagle Butte Schools welcome constructive comments that help to improve the quality of our educational program or to equip the school to do their tasks more effectively.

The Board believes that official complaints relating to the school, its policies, personnel, programs or instructional materials are best handled and resolved as close to the origin as possible. Staff will receive complaints courteously and respond properly to individuals who formally bring complaints to the school.

To ensure efficient and thorough management of complaints, the 95-561 School Supervisor or 20-1 Superintendent shall develop regulations consistent with this policy. The regulations may include, but are not limited to:

1. Procedures to channel complaints to the personnel best positioned to resolve the issue;
2. Procedures to formally accept, acknowledge and respond to complaints;
3. Procedures to elevate unresolved complaints to higher levels of authority within the school;

Complaints about staff will be given respectful attention. If the complaint warrants an investigation, due process rights will be maintained.

If a complaint, excluding those concerning Board actions or Board operations, is made directly to the school board or to an individual school board member, the individual making the complaint will be advised to issue the complaint to the school using the C-EB's complaint procedures.

After receiving the full attention and diligence of the staff, unresolved complaints may be appealed to the School Board, provided the appeal occurs within seven calendar days of the superintendent's/Supervisor's final ruling. The superintendent/supervisor shall present the appeal in accordance with relevant school policies. The Board will consider the appeal at the next regular board meeting and act on the matter according to its best judgment.

**NON-DISCRIMINATION:** C-EB is committed to a policy of nondiscrimination in relation to race, sex, religion, national background, handicap and other human differences. Respect for the dignity and worth of each individual will be paramount in the establishment of all policies by the Board and in the administration of those policies. The Constitutions of our nation and state, pertinent legislation enacted at those two levels of government, as well as court interpretations regarding citizens' rights, strengthen this statement.

In keeping with these statements, the following will be objectives of C-EB:

1. To promote the rights and responsibilities of all individuals as set forth in the state and federal constitutions, pertinent legislation and applicable judicial interpretations.
2. To encourage positive experiences in human values for children and adults who have differing personal and family characteristics or who come from various socioeconomic, racial and ethnic groups.
3. To carefully consider, in all decisions made which affect the schools, the potential benefits or adverse consequences that those decisions might have on the human relations aspects of all segments of society.
4. To initiate a process of reviewing all policies and practices of this school in order to achieve to the greatest extent possible the objectives of this policy.
5. To work toward a more integrated society and to enlist the support of individuals as well as that of groups and agencies, both private and Governmental, in such an effort.

The C-EB's policy on nondiscrimination will extend to students, staff, the general public and individuals with whom it does business.

For further information about anti-discrimination laws and regulations, or to file a complaint of discrimination with the Office for Civil Rights (OCR) in the U.S. Department of Education, please contact OCR at 8930 Ward Parkway, Suite 2037; Kansas City, MO 64114, Telephone 816-268-0550 (voice), or (877) 521-2172 (telecommunication device for the deaf, or TDD), or 816-823-1404 (fax), or [ocr.KansasCity@ed.gov](mailto:ocr.KansasCity@ed.gov) (email).

## **HARASSMENT:**

### **A. Definitions**

**1. Harassment:** Harassment consists of physical or verbal conduct related to a person's race, color, religion, creed, ancestry, gender (including pregnancy), sexual orientation, national origin, age, disability, military/veteran status, genetic information or other basis prohibited by law when the conduct is so severe or pervasive and objectively offensive that it:



- a. has the purpose of effecting or creating an intimidating, hostile, or offensive working or academic environment;
- b. has the purpose or effect of substantially or unreasonably interfering with an individual's work performance which deprives the staff member access to employment or academic opportunities.

**2. SEXUAL HARASSMENT:** It is the school's policy that sexual harassment is illegal, unacceptable and shall not be tolerated; that no employee or student of the school may sexually harass another. Any employee or student will be subject to disciplinary action including possible termination or expulsion for violation of this policy. Sexual harassment can arise between employees, by an employee to a student and student to student. All forms are subject to this policy.

**DEFINITION:** Any unwelcome sexual advances, solicitation or sexual activity by promise of rewards, coercion of sexual activity by threat of punishment, verbal sexist remarks, or physical sexual assaults constitute sexual harassment. This conduct can have the effect of unreasonably interfering with an individual's academic or work performance or of creating an intimidating, hostile, or offensive employment or educational environment regardless of intent.

**EXAMPLES:** Some examples of sexual conduct are:

1. Sexual advances;
2. Touching of a sexual nature;
3. Graffiti of a sexual nature,
4. Displaying or distributing sexually explicit drawings, pictures or written materials;
5. Sexual gestures;
6. Sexual or "dirty" jokes;
7. Pressure for sexual favors;
8. Touching oneself sexually or talking about one's sexual activity in front of others;
9. Spreading rumors about or rating other students as to sexual activity or performance.

Not all physical conduct would be considered sexual in nature.

Some examples of non-sexual conduct are:

1. A high school athletic coach hugging a student who made a goal.
2. A kindergarten teacher's consoling hug for a child with a skinned knee.
3. One student's demonstration of a sports move requiring contact with another student.

## **B. Reporting Incidents of Harassment - Grievance Procedures**

Any person who believes he or she has been the victim of harassment as defined above by an employee of the school shall report the alleged acts immediately to a Supervisor or building principal.

1. **Designated Personnel.** The building principal/supervisor is the person designated by the school for receiving reports of harassment at each building. Upon receipt of a report, the building principal/supervisor shall ask the person reporting to complete a statement. If the complaint involves the building principal/supervisor the complaint shall be filed directly with Superintendent/Supervisor. If the complaint involves the Superintendent, the complaint shall be filed directly with the Board Chairperson.
2. **Submission of a complaint or report of harassment.** Submission of a complaint or report of harassment will not affect the individual's employment or work assignments.
3. **Confidentiality.** The School will make attempts to respect the confidentiality of the complaint and the individual(s) against whom the complaint is filed as much as possible consistent with the Schools' legal obligations and the necessity to investigate allegations of harassment and take disciplinary action when the conduct has occurred
4. **Procedure.** The complaining employee will be asked to put the facts surrounding the conduct in writing on a form provided by the School that includes the following: Complainant's name and address; date of the incident; type of harassment; description of the incident; name of any witnesses; what action, if any, has been taken; and signature of the complainant.
5. **Required Reporting.** If the accusations include possible criminal activity such as molestation, sexual battery, or similar contact, the Superintendent/Supervisor shall comply with all mandatory state reporting requirements including, but not limited to, contact with the Department of Social Services and/or law enforcement. Nothing in this procedure forecloses individuals from seeking redress for their concerns through other legal avenues, such as the Office of Civil Rights, the Equal Employment Opportunity Commission or the South Dakota Division of Human Rights.

### C. Investigation

Upon receipt of a written report alleging harassment, the Superintendent/Supervisor shall immediately authorize an investigation. This investigation may be conducted by the Superintendent/Supervisor or any School official or by a third party designated by the School. The investigating party shall provide a written report of the status of the investigation within ten (10) working days to the Superintendent/Supervisor.

In determining whether alleged conduct constitutes harassment, the School should consider the surrounding circumstances, the nature of the advances, if any, relationships between the parties involved, and the context in which the alleged incidents occurred.

The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigating party.

The School may take immediate steps, at its discretion, to protect the complainant, students, and employees pending completion of an investigation of alleged harassment.

During the investigation all parties directly involved in the complaint may have representation. If any party elects to be represented at any step of the complaint procedure, the name of the representative must be provided, in writing, to the Superintendent/Supervisor.

#### **PERSONNEL & STUDENT SECTION 504:**

##### **Programs for Students with Disabilities under Section 504 of the Rehabilitation Act of 1973 and the American with Disabilities Act of 1990**

Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act prohibit discrimination against persons with a disability in any program receiving federal financial assistance. Section 504 defines a person with a disability as anyone who.....

*Has a mental or physical impairment which substantially limits one or more major life activities such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, sleeping, standing, lifting, reading, concentrating, thinking, communicating, helping, eating, bending or operation of a bodily function.*

The Cheyenne-Eagle Butte School has the responsibility to provide accomadations and services to eligible individuals with disabilities. The school acknowledges its responsibility under Section 504 to avoid discrimination in policies and practices regarding its personnel and students. No discrimination against any person with a disability shall knowingly be permitted in any program or practice in the school.

#### **FAMILY EDUCATION RIGHTS AND PRIVACY ACT (FERPA):**

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

- Parents or eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.
- Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.

- Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):
  - School officials with legitimate educational interest;
  - Other schools to which a student is transferring;
  - Specified officials for audit or evaluation purposes;
  - Appropriate parties in connection with financial aid to a student;
  - Organizations conducting certain studies for or on behalf of the school;
  - Accrediting organizations;
  - To comply with a judicial order or lawfully issued subpoena;
  - Appropriate officials in cases of health and safety emergencies; and
  - State and local authorities, within a juvenile justice system, pursuant to specific State law.

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA. The actual means of notification (special letter, inclusion in a PTA bulletin, student handbook, or newspaper article) is left to the discretion of each school.

For additional information, you may call 1-800-USA-LEARN (1-800-872-5327) (voice). Individuals who use TDD may use the [Federal Relay Service](#).

Or you may contact us at the following address:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-8520

For additional information, you may call 1-800-USA-LEARN (1-800-872-5327) (voice). Individuals who use TDD may use the [Federal Relay Service](#).

Or you may contact us at the following address:

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U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-8520

### **EQUAL EDUCATION OPPORTUNITIES STATEMENT:**

The Cheyenne-Eagle Butte Schools provides equal education opportunities for all its students, and does not discriminate against students, employees, or others in its policies, practices, programs and activities on the basis of race, color, ethnic background, national origin, pregnancy, student marital status, religion, creed, age, sex, citizenship, political affiliation, mental and/or physical challenge, disability, sexual orientation, or status as a veteran.

The following people have been designated to handle inquiries or complaints regarding the District's non-discrimination policies:

**The following people have been designated to handle inquiries or complaints regarding the C-EB's nondiscrimination policies:**

<b>PROGRAM</b>	<b>CONTACT PERSON</b>	<b>ADDRESS</b>	<b>PHONE NUMBER</b>	<b>EMAIL</b>
<b>District 20-1</b> Federal Programs: JOM, Title III, Title IX, IMPACT Aid, Perkins,	Keith Watt Business Manager	P O Box 260 24 West Prairie Rd Eagle Butte, SD 57625	605-964-4911	Keith.Watt@k12.sd.us
<b>BIE</b> Title IX	Kathie Bowker BIE Acting Supervisor	P O Box 540 Eagle Butte, SD 57625	605-964-8777	Kathie.Bowker@bie.edu
<b>District 20-1</b> SPED Director	Rebecca Smith 20-1 SPED Director	P O Box 260 24 West Prairie Rd Eagle Butte, SD 57625	605-964-4911	Rebecca.Smith@k12.sd.us
<b>BIE</b> SPED Director	Carla Blue Coat BIE SPED Director	P O Box 540 Eagle Butte, SD 57625	605-964-8777	Carla.BlueCoat@bie.edu
<b>District 20-1</b> Title I	Cora Petersen, Upper Elementary Principal	P O Box 260 24 West Prairie Rd Eagle Butte, SD 57625	605-964-4911	Cora.Petersen@k12.sd.us
<b>District 20-1</b> Upper Elementary Section 504 Coordinator	Jo Ellen Berndt, Upper Elementary Counselor	P O Box 260 24 West Prairie Rd Eagle Butte, SD 57625	605-964-4911	Joellen.Berndt@k12.sd.us
<b>BIE</b> High School Section 504 Coordinator	Jill Kessler, High School Counselor	P O Box 540 Eagle Butte, SD 57625	605-964-8777	Jill.Kessler@bie.edu
<b>BIE</b> Junior High Section 504 Coordinator	Jaime O'Neal, Junior High Counselor	P O Box 540 Eagle Butte, SD 57625	605-964-7841	Jaime.Oneal@ohitika.com
<b>BIE</b> Primary Section 504 Coordinator	Les Logg, Acting Primary Principal	P O Box 540 Eagle Butte, SD 57625	605-964-7920	Les. Logg@bie.edu
<b>E.A.G.L.E. Center</b> Section 504 Coordinator	Dr. Vicki Birkeland, E.A.G.L.E. Center Principal Gina Veo Counselor	P O Box 540 Eagle Butte, SD 57625	605-964-8773	Vicki.Birkeland@bie.edu

For further information about anti-discrimination laws and regulations, or to file a complaint of discrimination with the Office for Civil Rights (OCR) in the U.S. Department of Education, please contact OCR at 8930 Ward Parkway, Suite 2037; Kansas City, MO 64114, Telephone 816-268-0550 (voice), or (877) 521-2172 (telecommunication device for the deaf, or TDD), or 816-823-1404 (fax), or ocr.KansasCity@ed.gov (email).

The Cheyenne-Eagle Butte School's anti-discrimination, anti-harassment, and anti-retaliation policies and grievance procedures may be obtained at each Administrative Office.

Students or parents have access to student school records. A student grievance procedure is set forth in the Parent/Student Handbook of the Policies, Procedures and Practices of the Cheyenne-Eagle Butte Schools are located each Principal's office. C-EB's anti-discrimination, anti-harassment,

and anti-retaliation policies and grievance procedures may be accessed electronically at this link [www.ohitika.com](http://www.ohitika.com).

Students or parents/guardians have access to student school records. A student grievance procedure is set forth in the Policies, Procedures and Practices of the C-EB are available at [ohitika.com](http://ohitika.com), [c-ebk12.sd.us](http://c-ebk12.sd.us) or in the Principal's office.

**STUDENT POLICIES:** The full student policies (Due Process, Weapons, Non-Acceptance of Transfers, Administrator's Legal File, Student Contact with Law Enforcement and Social Services, Child Abuse, Drug and Alcohol, FERPA, Student Grievance, Sexual Harassment, Student Search, Student Bus, C-EB School Emergency Plan (COO Plan), Health and Wellness, and other) are filed at the 95-561 BIE School Supervisor and 20-1 School Superintendent Offices.

**RESPONSIBILITY:** C-EB officers, employees and students are responsible for maintaining a working and learning environment free from sexual harassment. Workshops and activities will be provided by the C-EB to explain the policy and laws. Careful scrutiny will be undertaken of all allegations of sexual harassment. False allegations that are malicious or ill-founded may constitute libel or slander. Copies of the policy will be available at all administrative offices.

**COMPLAINTS:**

1. Employees

Any employee who believes that he or she has been a subject of sexual harassment by a school employee or officer should report this incident immediately to his or her immediate supervisor. If the immediate supervisor is involved in the activity, the violation should be reported to the supervisor's immediate supervisor.

2. Students

A student who believes he or she has been sexually harassed (or a parent or guardian who believes that his or her child has been harassed) should immediately report it to a responsible school official. This could be a teacher, principal, faculty member, administrator, campus security officer, affirmative action officer, staff in the office of student affairs, or the school's Title IX coordinator.

3. Investigation

All reported incidents will be thoroughly investigated and subject to disciplinary action. While absolute confidentiality cannot be guaranteed, confidentiality consistent with due process will be strictly maintained. Criminal acts must be reported to law enforcement authorities. An employee or student may file a written complaint because of dissatisfaction with the handling of a harassment complaint and may utilize any applicable grievance procedure for the purpose.

## **CONFIDENTIALITY:**

- A. It is the school's intent to keep the information brought forward in a complaint confidential and limited to those directly involved with the complaint. However, because an individual's right to confidentiality must be balanced with the school's obligations to cooperate with police investigations or legal proceedings, or to take appropriate disciplinary action, the school retains the right to disclose the identity of parties and witnesses to complaints in appropriate circumstances.
- B. Where a complaint involves allegations of child abuse, the complaint shall be immediately reported to appropriate law enforcement authorities and the anonymity of both the complainant and school officials involved in the investigation will be strictly protected as required by law.
- C. **RETALIATION:** Cheyenne-Eagle Butte Schools prohibits retaliation against any person because that person has asserted, or has assisted another person to assert a discrimination or harassment complaint with the school or with any state or federal agency, or because that person has testified or participated in any manner in an investigation, proceeding or hearing concerning a complaint of discrimination or harassment. Retaliation is a violation of federal and state law, and may lead to disciplinary action against the offender.

**PARTNERSHIPS WITH OUTSIDE AGENCIES:** C-EB Schools will partner with outside agencies to provide academic, behavioral, cultural, personal, and social support services opportunities for our students and their families. C-EB Schools will make every effort to establish these opportunities on our school campuses at times that do not interrupt our academic day, to make participation in these support activities more accessible to our students. Students will be granted an excused absence or tardy to any school activity, meeting, practice, etc. if they are participating in a support program. C-EB Schools will utilize "opt out" permission for participation in certain activities. If a legal parent/guardian does not want their child to participate in a specific support services activities, they must complete the Partnership Opt Out Form on file in all school offices.

**LINE OF AUTHORITY:** All staff are expected to follow their Line of Authority for student and personnel issues. Staff that chooses not to follow the Line of Authority will be subject to verbal and/or written reprimands. Staff can obtain the most current Line of Authority chart for their area from their supervisor.

**WORK HOURS:** (Unless Otherwise Scheduled):

7:45 a.m. – 4:15 p.m.	BIE Employees
8:00 a.m. – 4:30 p.m.	CRST Title I Employees
7:45 a.m. – 3:45 p.m.	District 20-1 Certified Staff
7:00 a.m. – 5:00 p.m.	District 20-1 Classified Staff

Sign out and utilize approved leave when leaving the work area/duty station or when performing non-work related tasks (does not include breaks or lunch).

**SCHOOL CLIMATE:** It is our goal to build and retain a positive school climate. Thus, it is important for all staff members to welcome any visitors (see required visitor check-in procedure). Keeping an attractive, organized classroom/work area sets a positive climate. Staff interactions will be professional. Staff that does not act in a professional manner will be subject to verbal and/or written reprimands.

**SCHOOL VISITORS:** All school visitors must report to the office to check-in, get permission to be in the school facilities, and have a visitor's badge, even if you are a school employee.

**CLASSROOM/WORK INTERRUPTIONS:** It is our responsibility to guard the learning time of students by not allowing classroom interruptions (except emergencies). Intercom use during the school day should be kept to a minimum. Messages for students will be announced/given at the end of the day. It is also the responsibility of each employee to manage their work day efficiently by actively working during the established work hours and utilizing the break time for personal business.

**LEAVE:** The Cheyenne-Eagle Butte School recognizes that students' achievement is negatively affected by instructional staff absence, thus requests staff to plan leave well in advance and schedule appointments late in the day. Leave request forms (BIE, District, Title I) are available from the office. Leave must be requested personally from your direct supervisor. Personal/Annual/Vacation Leave must be requested 2 weeks in advance. Medical Leave for appointments must be requested 1 week in advance. Staff members who are unable to report to work due to illness should notify the Principal by 6:00 am and sign a Leave Request form immediately upon return to work duty. It is each employee's responsibility to ensure that Time Sheets are accurate for each pay period.

	<b>Personal/Annual</b>	<b>Emergency</b>	<b>Sick</b>
<b>District</b>	2	3	10
<b>95-561 Contract</b>	6	-	Earn 4 hrs/pp
<b>95-561 Status Quo</b>	Accrue	-	Accrue
<b>CRST Title I</b>	40 hours/school year	-	Earn 4 hrs/pp

**ABUSE OF LEAVE:** Staff members who abuse leave (more than 3 days without a doctor's note, patterns of inconsistent work attendance or having to use Leave without Pay) may be placed on an Improvement Plan or required to participate in Employee Assistance Counseling. This data will be considered as part of the staff evaluation.

**APPEARANCE:** Personal appearance should be professional at all times. Please use professional discretion in choosing your attire. Job related clothing is acceptable. Examples; spirit t-shirts on Spirit Days, and nice sweats if you are a physical education teacher. Appropriate dress does not include shorts, torn jeans, sweatpants, yoga/leggings without thigh-length coverage, T-shirts, inappropriate slogan(s) on apparel, low tank tops, spaghetti straps, short skirts, flip flops or dirty or torn shoes. Any type of headgear is not allowed to be worn during working hours unless it is part of your official uniform. Staff members will be expected to cover hickeys before coming to work.

*\*Please report any inappropriate attire to your immediate supervisor.*



**KEYS:** Building/Classroom keys will be issued and must be checked in at the end of your contract. There will be a charge for lost keys due to the substantial cost in changing locks. Charges will be housed with each building principal.

**FACILITY USE:** The school buildings are for school use first. Community organizations may request facility use. Facility use requests for any prior approved programs/practices will be processed through the Athletic/Activities Director/Superintendent well in advance. Staff who work late are asked to work no later than 9:00pm (10am – 8pm on weekends). Staff are asked to keep the school buildings locked at all times after hours. If staff are working after regular school hours and bring children with them, the children need to be in the staff's designated area at all times and supervised.

**STAFF DEVELOPMENT:** Every BIE staff and all other staff members providing direct services to students are required to complete an Individual Development Plan (IDP) each fall. The DIP will be due September 25<sup>th</sup> unless a different date is designated by your building supervisor. Staff Development will be provided to employees through on- and off-site trainings, continuing education, and on-the-job training. Teachers have the opportunity to take classes each year for credit and may request from the Staff Development Fund up to \$1,200 of tuition and fees allocation for a class each year. More course work may be approved on a case-by-case basis. Paraprofessionals may request up to \$1,500. Staff development requests must be in the employee's primary area of responsibility, on the appropriate staff development request form, approved by your supervisor, and presented to the business office for processing two weeks in advance. Employees who request professional development are individually responsible to check on approval/disapproval of requests. All staff development requests are contingent on the funds that are available. Each staff member is required to keep a current Staff Development Log that includes classes, trainings, conferences (onsite and offsite) with dates and certificates (if given). The staff development calendar can be found in Google. Prep/Professional Development time will be utilized for some training. For further questions refer to the C-EB Staff Development Policy.

**TRAVEL REQUEST & AUTHORIZATION:** All travel must be approved by the BIE School Supervisor/20-1 Superintendent two weeks in advance. All Staff using Staff Development for travel need to follow the Staff Development Request Process. District out of state travel requires School Board approval. The clerk/asst. in each area will prepare the travel authorization. Every staff person on travel must keep copies of receipts for transportation, hotel, registration, etc. that is appropriate and turn these into the funding source. BIE employees are required to utilize Concur for all travel authorizations and vouchers. A travel voucher is turned into Business personnel for reimbursement. CRST Title I travel reconciliation must be completed within 7 days of return travel date. Reimbursement may take two weeks or longer.

**"SCHOOL CLOSING" ANNOUNCEMENTS:** If for any reason there is a closing of the school, announcements will be made via the School Messenger System and over KGFX-Pierre, KLND-Little Eagle, KOLY-Mobridge, KMLO-Mobridge, KELO-Sioux Falls, KSFY-Pierre/Sioux Falls, KPII Eagle Butte stations. The 20-1 Superintendent and BIE School Supervisor will make the decision to close school. If the decision is a late start, staff need to report to work 30 minutes before the selected start time.

**WELLNESS POLICY:** All students and staff are required to follow the Wellness Policy (available from the office).

**FUNDRAISING:** Fundraising for all school groups affiliated with the C-EB School must be approved by the building principal 5 school days prior to the event. The Fundraising document must be on file with the BIE NASIS/Data Clerk before the fundraiser begins. Fundraising at athletic events must be approved by the principal and the Athletic/Activities Director. Money raised through fundraising must be deposited in the approved account within 2 school days.

**VEHICLE PARKING:** If you are going to park at the BIE bus loop you will need prior approval from your building principal

## **RESPONSIBILITIES PERTAINING TO ALL STAFF**

**STUDENT SUPERVISION:** *All staff* (regardless of position) are expected to provide general supervision through the use of Systematic Supervision of all students in all areas of the school system. Any staff member is allowed to respectfully ask students in the halls to present a pass and require student to return to the classroom for a proper hall pass. *Teachers* have the specific responsibility for student supervision. Students must be fully supervised in all areas of the school including classrooms, hallways, playgrounds, and cafeteria. If students are present a staff member needs to be present. Staff that do not follow the student supervision policy will be subject to verbal and/or written reprimands. Teachers need to be in their classroom by the designated time according to employing agency: BIE, 20-1, and CRST Title I.

**TEAM LEADERS/DEPARTMENT CHAIRS/GROUP LEADERS/HEAD:** Each area and department may set up leadership roles; see the building principal for specific duties.

**ACCIDENTS:** All accidents must be reported immediately to the building principal's office. A written report must be made on an accident report form within 24 hours and submit to the building principal.

**INCIDENT REPORTS:** All Staff who directly or indirectly (first adults on the scene) witness minor or major incidents must fill out an incident report and deliver it to the principal and/or appropriate supervisor within the same day.

**MORNING/NOON/RECESS/AFTER-SCHOOL DUTY:** Instructional Staff (Teachers, Assistants, Librarian) and Support Staff (ISS, Dean of Students, Liaison Officers, etc.) may be assigned duty as indicated by the duty schedule on a rotating basis or a daily basis. Staff may receive additional compensation (lunch tickets, early release, etc.) during their duty as determined by their direct supervisor. Staff members are required to report to the designated area on time and provide systematic supervision to students the entire time. If a staff member will be absent, it is their responsibility to coordinate with the principal on a replacement for duty. [See Recess in Student Handbook for additional information.]

**CLASSROOMS/WORKSPACE:** General care and cleanliness of your classroom/workspace is your responsibility. All staff is expected to keep their work areas organized in a manner conducive to their work. Teachers should expect students to clean up after themselves (throw away trash, put away materials, etc.). Seeds and gum are not allowed. Janitorial staff will

provide a thorough cleaning (trash, floors, boards, desks/tables, bathrooms) daily for classrooms and twice weekly for office work areas. If maintenance is needed, fill out a work order and submit to the office.

**ORDERING SUPPLIES AND MATERIALS:** All supply requests (BIE/District/Title I) must be submitted on appropriate requisition forms to the Supervisor (Principals, other Supervisors) well in advance. The Business Office requires forms two weeks in advance to ensure adequate processing time. Any staff member who orders supplies, materials, or equipment without appropriate approval personally assumes the financial liability of the order.

**MOTOR VEHICLE OPERATOR'S LICENSE AND DRIVING RECORD:** All new BIE and designated Title I staff are required to complete the GSA Form 3607, Motor Vehicle Operator's License and Driving Record, form by the end of August. All staff, as notified, must annually complete the form. District staff must have a current Driver's License on file before driving a school vehicle.

**INVENTORY:** All staff is required to keep an accurate inventory of their equipment, textbooks, and supplies. The inventory list should be submitted to the office with the staff Check-out Form.

**COPY MACHINES:** Copy Machines are available in each area for staff school use only. Please plan ahead and refrain from sending students or aides to the office at the last minute. Please notify office staff if the machine jams or is not functioning properly.

**COMPUTER TECHNOLOGY:** All staff are required to sign and abide by the Acceptable Use policy. For repairs, staff members are encouraged to self-check their equipment (connections, restart, etc.) before contacting a Technology staff member. All staff members are required to submit a technology e-mail for IT assistance: [support@ohitika.com](mailto:support@ohitika.com). All staff will be charged for damaged equipment that has been assigned to them.

**CAFETERIA & FOOD REQUESTS:** Staff is welcome to eat in the cafeteria with a purchased lunch ticket. Lunch tickets can be purchased with a money order. If staff members are actively supervising students they can eat free of charge. Breakfast is served from 7:30 - 8:00 a.m. and lunch is served on a rotating schedule starting at 10:45 a.m. Food request forms are available in each area office and need to be submitted two weeks in advance with appropriate approval; limited to athletic, academic, class field trips and class incentive celebrations. All areas are expected to collaborate on School-wide (K-12) events such as Parent-Teacher conferences or Open House.

**STUDENT FIELD TRIPS:** Student field trips require approval; beginning with the building principal, a two-week advance planning, and budget approval. The lead staff member of the field trip must communicate trip details (roster, itinerary, rules) to students, parents/guardians, and staff.

**CHAPERONING:** In the event you are chaperoning a trip for another area you will need confirmation from your current supervisor to attend one week before the trip.

**RESPONSIBILITY DURING EXTRA ACTIVITIES:** By state law, school staff has the right and authority to require obedience on the part of students in school and/or under any

circumstances when they are congregated as the result of school activities. All staff and approved chaperones are expected to exercise this authority at all times.

**ACTIVITIES ELIGIBILITY:** *All* activity eligibility is *due* into NASIS by Tuesday at 4:00.

**SCHOOL EVENTS:** Cheyenne-Eagle Butte school staff members are required to pay the admittance fee to attend athletic activities sponsored by the Cheyenne-Eagle Butte School. Staff attendance at activities indicates a healthy interest in the school.

**COMPUTER CHECK-OUT:** Laptop computers will be checked out on a limited/priority basis. A signed check-out form (use/care/responsibility) is required. All staff will be charged for damaged equipment that has been assigned to them.

**END OF THE YEAR CHECK-OUT:** All staff members must complete a Check Out sheet at the end of their contract and turn it into their supervisor.

## COMMUNICATION

**STAFF MEETINGS:** Staff meetings are regularly scheduled to facilitate the communication of personnel in each area and to give staff a venue to solve problems.

### **PARENT/GUARDIAN COMMUNICATION:**

- Teachers are expected to establish open communication with parents/guardians of the students they teach which can be done in multiple ways (for example: introduction letters, sending out copies of course outlines).
- Teachers are required to notify parents/guardians when their child drops below passing in a class.
- Disciplinary Staff (Principal, Dean of Students, ISS/Time Out Monitors) are expected to contact parents/guardians (phone call, email, written) each time a student commits a disciplinary infraction.
- C-EB Staff are expected to communicate on upcoming events, activities, and awards to parents.
- Parent/Guardian Contact Logs must be completed on a monthly basis and turned into your supervisor.
- Items can be sent home with the students or mailed.
- It is recommended teachers make monthly contact with Parents/Guardians to share positive comments about their student.
- Teachers are expected to request an update of addresses and phone number during parent/teacher conferences and other times deemed appropriate; provide update to the front office clerk.

**PARENT/GUARDIAN FORUMS:** Parent/Guardian Forums will be held two times a year at the BIE Cafeteria.

**COMMUNITY:** In an exemplary school, parents/guardians and other community members are valued as active and collaborative partners involved in decision-making. As a result of their participation, they are acutely aware of student performance. They are engaged in respectful

relationships with other stakeholders and develop mutual trust with school staff. Community members and parents/guardians recognize that their input and involvement are essential to the success of the school. Parental involvement is a crucial element in the success of every student and each of our students deserves to be successful.

**POSITIVE PUBLIC RELATIONS:** All staff members are expected to facilitate positive public relations for the Cheyenne-Eagle Butte School System. As employees of the school, each of us is an ambassador of the school to parents/guardians and community members. Unresolved issues should be discussed and resolved internally. Staff is not to post school and student related issues on social media websites. If staff disregards this request and posts school related information to social media websites disciplinary action will be taken accordingly. The C-EB schools have an official Facebook page and has designated appointees whom will post announcements.

**NEWSPAPER ARTICLES:** Each teacher, coach, and activity sponsor is expected to submit at least one newspaper article to the West River Eagle per year. These submissions should be grammatically correct and written from a positive view point. Please have your supervisor approve all submissions. Pictures of students actively learning adds to any written submission.

**MAIL:** Each staff member has access to a Staff Mail Box. Please check your mail regularly (twice daily) and keep it clean and clear. There is an Outgoing mail box for each area as well. Mail that is put in the outgoing box before 11am will be delivered to the Post Office that day.

**CALENDAR:** The School Calendar was adopted and included in this Handbook. The Superintendent, School Supervisor, and Athletic/Activity Director will be responsible for the coordination of the Master School Calendar. To the extent possible, the areas should coordinate School-Wide events. All staff should schedule events a minimum of two weeks in advance (in order to give proper notice) and refrain from scheduling events that conflict with existing activities. In addition, each area Supervisor may have Monthly or Weekly calendars to coordinate their activities.

**DAILY/MORNING/WEEKLY REPORTS:** Each area is encouraged to provide a written or emailed Daily/Morning/Weekly report to provide timely daily communication to staff and students.

**TELEPHONE CALLS/CELL PHONE/ELECTRONIC DEVICE USAGE:**

- Emergency phone calls to staff or students will be processed immediately.
- Students are discouraged from using the telephone during school hours. Under special circumstances students with written permission of the teacher or other staff member will be allowed limited phone use under the direct supervision of a staff member.
- Messages will be taken and placed in mailboxes for staff members who receive phone calls during instructional time or providing direct student services. Long Distance phone calling is for business use only and must be logged on the phone log sheet.
- Cell phones may be used only during scheduled breaks/prep time when a staff member is not supervising students or expected to be actively working.
- Cell Phones may not be used during instructional time for texting or social media websites, educators must remain focused on providing student services.

**STAFF COMMUNICATION PLAN:** All staff are required to have e-mail. E-mail will be the primary tool to get information disseminated quickly to all staff. You must use BIE, State, or ohitika.com as your primary school e-mail. Supervisors will create distribution lists for appropriate groupings of staff. Staff Meetings will also be utilized to provide direct information to staff. In emergency situations the Staff Listing on the school automated system will be utilized to automatically dial all staff contact phone numbers.

**ENERGY CONSERVATION STATEMENT:** Staff will shut the lights off in all rooms in the school that are not in use.

## **KEY INFORMATION FOR TEACHERS**

**STUDENT HANDBOOK:** Teachers should become familiar with the adopted Student Handbook that contains specific information for students and procedures for staff in working with students.

**CONFIDENTIALITY:** Confidentiality is a very important issue within the school. The South Dakota Code of Ethics states that educators are to “keep in confidence information that has been obtained in the course of professional service, unless disclosure serves professional purposes or is required by law.”

1. Do not discuss students or their academic progress, need for exceptional education services, family problems, behavior etc. within the hearing of students, parents/guardians or non-involved staff.
2. Do not leave documents relating to students (IEP notices, etc.) lying around carelessly. These documents contain confidential information and need to be kept secure.
3. Do not divulge grades or other student achievement information, such as posting class grades.
4. Do not post school or student information via social media websites.

**CERTIFICATES:** Newly employed teachers must give a copy of their teaching certificates to the school Human Resource personnel who will keep them on file during the term of the teacher’s employment. This should be done prior to the opening of school (required with applications for BIE Teaching positions). The first check will not be given until this certificate is on file. It is the responsibility of each individual teacher to make sure their certification is current and on file. Parents/Guardians may obtain qualifications of their children’s teachers upon request through the Administration Office.

**LESSON PLANNING:** Teachers are expected to have a written daily, weekly, and/or unit plans for each class taught. These lesson plans should be turned in to the principal by Monday morning at 8:00am. Note that Common Core/state standards must be identified on every lesson plan. Units placed in Curriculum Mapper may be utilized for the Lesson Plan requirement. Each teacher is expected to utilize their planning periods to prepare for their classes by planning, developing materials, and grading. If you are on an extended planned leave of absence (maternity leave, etc.) lesson plans must be in place before you leave. Grading is your responsibility and grades must be posted on a regular basis.

**DAILY ATTENDANCE:** Teachers are responsible for maintaining accurate daily attendance records (electronic and paper) for their students and for correctly supplying this information to the office. Daily attendance should be sent by 8:20 am each morning for grades K-6. Period attendance for grades 7-12 should be done in a timely manner at the beginning of each class. If the computer network is down, teachers can send a written attendance list. See Student Handbook for specific guidelines and procedures for Student Attendance.

**GRADING:** Each teacher will use the electronic grade book in NASIS and will be expected to follow established grade scale guidelines on the student report cards. Also, they will put grades into NASIS on a weekly basis and be able to communicate student evaluation data (grades) to parents/guardians and/or student weekly upon request. Teachers will pick a day of the week and get a memo out to parents what day the grades will be completely updated each week. Remember that grades are made available via the parent portal feature in Infinite Campus for parents that request access so make sure grades are current. Teachers should be able to justify report card grades by data if asked. Grades will be ready for report cards/progress reports a week after the end of the recording period.

**REPORTING:**

- Deficiency Reports: Teachers are required to send Deficiency Reports to parents/guardians of students who fall below passing.
- Reports of Excellence: Teachers are encouraged to send positive notes home including Reports of Excellence.
- Mid-Term Progress: Teachers are expected to compile a mid-term progress report electronically through the Infinite Campus program. Office staff will mail reports to every parent/guardian.
- Report Cards: Parents/guardians will receive a report card for their children after each nine week period. Parent-Teacher Conferences will be scheduled throughout the year and progress reports/report cards will be given out at that time. All remaining report cards will be mailed out one week after the quarter ends.

**ASSESSMENT:** Teachers are required to participate in all student assessments planned by area (i.e. MAP, SDAP, other) within each testing window. In addition, formative and summative assessment results should be consistently shared with students and parents/guardians including, but not limited to, SDAP, MAP, and Finals. Cheyenne-Eagle Butte utilizes assessment (testing) as an important part of the instructional program. Students are assessed for three (3) Benchmark periods (Fall, Winter, Spring) to determine which concepts and skills they have mastered and which ones they need additional help on. In addition, students may be progress monitored to determine the amount of progress being made between Benchmark periods. Also, students in grades 3-8 and 11 are required to take the state mandated test. Finally, teachers have the option to use Topic, Unit, or Chapter tests as evaluation tools. Students are not allowed to opt out of Assessment (Testing), since it is used to make instructional decisions.

**HOMEWORK POLICY:** The purpose of homework is to:

- Provide practice and reinforce skills presented by the teacher(s)
- Broaden areas of interest through enrichment
- Provide opportunities for parents/guardians to know what their child is studying
- Encourage interaction between parent/guardian and child

Teachers assign homework to complement classroom instruction. It will be planned and evaluated with respect to its purpose, appropriateness, and completion time. Homework is most effective when it is checked or graded by the teacher and returned to the student promptly with helpful comments. Each grade level assigns the appropriate weight for homework to a final grade for core subjects. Teachers are expected to discuss this during grade level open house at the beginning of the school year, and at conferences.

Our school community believes that establishing a homework routine is important for student success. Parents/Guardians can help by providing a consistent homework time in an undisturbed study area, and by being available if the child needs help. As stated in our school community compact, parents/guardians should make sure the homework is done, signed off on by a parent/guardian, and returned to school daily. Being prepared for their subjects prepares them to be successful in life. Praising the child when homework is completed encourages pride in his or her accomplishments, and motivates the child to continue good effort.

Students that may not have homework on any given day should uphold the routine of doing homework by reading independently, practicing math facts or vocabulary and reviewing content for upcoming quizzes and tests. Students who are absent should make up all necessary homework upon their return.

Time guidelines for homework or study time 4 days per week are as follows:

- Kindergarten...5-10 minutes
- First Grade...10-15 minutes
- Second Grade...15-20 minutes
- Third Grade...20-25 minutes
- Fourth Grade...25-30 minutes
- Fifth Grade...30-35 minutes
- Sixth Grade...35-40 minutes
- Grades 7-12...40-60 minutes

Good study habits in the completion of homework and study time practice will help our students, your children, develop the necessary skills to become lifelong learners. Please take the time to communicate with your parents/guardians the need to talk to their child/ren when they get home.

**TEXTBOOK CHECK-OUT:** Textbooks that are issued to a student to take home must be recorded on a Textbook Checkout form by the teacher. If the textbook is not returned by a student, it is the teacher's responsibility to make every attempt to recover the textbook, seek payment from the student or replace the books through the requisition/ordering process. The teacher has the right not to check out additional copies of the book to the student until the student has made restitution.

**RETENTION:** Retention of specific students will be recommended to the building principal by his/her teacher following policy. This recommendation will be based on data including: low



grades, low reading level/achievement, significant student emotional immaturity, and/or considerable number of absences. The principal will assemble a Response-to-Intervention Committee (Principal, Classroom Teacher, Parents/Guardians, and other Staff Members) who will make a retention decision based on the data including: student age, previous retentions, parental/guardian requests, over-all academic records, special services placement, and other pertinent information. Parents/Guardians will be notified of possible retention of their child no later than April 30<sup>th</sup>.

**DISCIPLINE:** It is the goal of the school to facilitate the development of self-responsible students that follow the rules and respect self, others, and the property of others. Each teacher is responsible for the management of and discipline within his/her classroom.

- Positive Behavior Intervention Support (PBIS) techniques will be utilized by all staff to manage situations.
- All approved classroom discipline plans will be posted in the classrooms by the end of the first week of students coming.
- All classroom teachers will submit a classroom discipline plan to the building principal by October 15<sup>th</sup>.
- Principals have a responsibility to work directly with teachers or provide resources to teachers who have difficulty managing his/her classroom. [Note that a teacher yelling at students is considered an indicator of difficulty managing classroom or self-behavior.]
- Classroom procedures (when to use the restroom, how to ask questions, etc.) should be developed, taught, and reviewed with students.
- All classroom discipline consequences will initially include teacher/classroom interventions prior to any actions that require students to leave the classroom for time-out, ISS, or reporting to personnel (principal, dean of students, etc.) since it is extremely hard to teach students who are in ISS or sent home.
- Teachers are expected to be fair and consistent with discipline.
- Students respond better to private (one-to-one) conversation rather than public correction.
- Students that disrupt the whole class' learning may need an alternative setting.
- Teachers are encouraged to contact parents/guardians of students that have difficulty following classroom procedures and rules to share information and get input on ways to help the child control his/her own behavior and thus maximize learning.
- When sending a student to the office for discipline, contact the principal, share the problem and the requested outcome. Note that the principal/Dean of Students will follow the disciplinary measures of the Student Handbook.
- All staff need to adhere to the building regulations regarding the student discipline policy. Example: If you are working with students small in stature it is not recommended to physically pick up a student rather than using behavior techniques or methods Crisis Prevention Intervention (CPI).

## **RESTRAINT AND SECLUSION:**

### **I. Policy Rationale and Philosophy:**

Reasonable efforts should be made to prevent the use of restraint and the use of seclusion. A non-aversive effective behavioral system such as Positive Behavioral Intervention and Supports (PBIS) should be used to create a learning environment that promotes the use of evidence-based behavioral interventions, thus enhancing academic and social behavioral

outcomes for all students.

The District believes that the school environment should be one in which the care, safety, and welfare of all students and staff members are priorities. Efforts to promote positive interactions and solutions to potential conflict should be extensive. In the event that an individual's behavior presents a threat of imminent harm to self or others the use of approved physical intervention or seclusion strategies to maintain a safe environment may be used as a last resort.

## **II. Definitions:**

- a. **Positive Behavior Interventions and Support:**
  - i. A school-wide systematic approach to embed evidence-based practices and data driven decision making to improve school climate and culture in order to achieve improved academic and social outcomes, and increase learning for all students, and
  - ii. Encompasses a wide range of systemic and individualized positive strategies to reinforce desired behaviors, diminish reoccurrences of challenging behaviors and teach appropriate behavior to students.
- b. **Physical Restraint:**
  - i. The use of physical contact that immobilizes or reduces the ability of a student to move their arms, legs, body, or head freely. Such term does not include a physical escort, mechanical restraint, or chemical restraint.
  - ii. Physical restraint does not include brief, but necessary physical contact for the following or similar purposes:
    - 1. To break up a fight;
    - 2. To knock a weapon away from a student's possession;
    - 3. To calm or comfort;
    - 4. To assist a student in completing a task/response if the student does not resist the contact;
    - 5. To prevent an impulsive behavior that threatens the student's immediate safety (i.e. running in front of a car).
- c. **Seclusion:**

The involuntary isolation of a student in a room, enclosure or space from which the student is prevented from leaving by physical restraint or by a closed door or other physical barrier. It does not include a timeout.
- d. **Time Out:**

A behavioral intervention in which a student, for a limited and specified time, is separated from the class within the classroom or in a non-locked setting for the purpose of self-regulating and controlling his or her own behavior. In a timeout, the student is not physically restrained or prevented from leaving the area by physical barriers.

## **III. Requirements for the use of Physical Restraint:**

Physical restraint may be used only when there is an immediate risk of physical harm to the student or others and no other safe and effective intervention is possible. If physical restraint is applied the staff member must:

- a. implement in a manner that is age and developmentally appropriate;

- b. ensure safety of other students and protect the dignity and respect of the student involved. Combine use with other approaches (non-physical interventions are always preferred) that will diminish the need for physical intervention in the future;
- c. use the least amount of force necessary, for the least amount of time necessary;
- d. be appropriately-trained;
- e. continually observe the student in restraint for indications of physical or mental distress;
- f. contact appropriate emergency entities according to district crisis policy if at any point the staff assesses that the intervention is insufficient to maintain safety of all involved;
- g. remove the student from physical restraint immediately when the immediate risk of physical harm to self or others has dissipated; following the use of physical restraint, the individual should be assessed for injury or psychological distress and monitored as needed following the incident.

#### **IV. Prohibited Practices for Use of Restraints:**

Staff members are not to use any physical restraints for which they have not been trained by the district. Staff members are not to use any unauthorized physical restraints. This includes but is not limited to:

- a. Prone restraint, which is physical pressure applied to any part of the student's body to keep the student in a face down position on the floor or other surface, except when the use is necessary and reasonable in manner and moderate in degree;
- b. Any form of physical restraint that involves the intentional, knowing, or reckless use of any technique that involves the use of pinning down a student by placing knees to the torso, head, and or neck of the student;
- c. Using any method that is capable of causing loss of consciousness or harm to the neck or restricting respiration in any way;
- d. Uses pressure point, pain compliance, or joint manipulation techniques;
- e. Corporal punishment;
- f. Dragging or lifting of the student by the hair or ear or by any type of mechanical restraint;
- g. Deprivation of basic needs;
- h. Chemical restraint;
- i. Mechanical restraint (that does not include devices used by trained school personnel, or by a student, for the specific and approved therapeutic or safety purposes for which such devices were designed and, if applicable, prescribed);
- j. Using other students or untrained staff to assist with the hold or restraint;
- k. Securing a student to another student or fixed object;
- l. Aversive behavioral interventions; or
- m. Seclusion in a locked room or area.

#### **V. Requirement for Use of Seclusion:**

Given a threat of immediate risk of physical harm to the student or others, the following principles must always be applied:

- a. A room or area used for seclusion must:

- i. provide for adequate space, lighting, ventilation, clear visibility and the safety of the student; and
  - ii. not be locked.
- b. Staff must:
  - i. implement in a manner that is age and developmentally appropriate;
  - ii. ensure safety of other students and protect the dignity and respect of the student involved;
  - iii. the least amount of time necessary;
  - iv. be appropriately-trained;
- c. staff must continually observe the student for the duration of the seclusion;
- d. if at any point the staff assesses that the intervention is insufficient to maintain safety of all involved, emergency personnel will be contacted;
- e. seclusion ceases when the immediate risk of physical harm to self or others has dissipated;
- f. upon each use of seclusion, the student shall be assessed for injury or psychological distress and monitored as needed following the incident.

**VI. Prohibited for Use of Seclusion:**

- a. Use of seclusion in any environment that does not meet the above criteria.
- b. Deprivation of basic needs;
- c. Seclusion shall not be used;
  - i. As a form of discipline/punishment
  - ii. As a means to coerce, retaliate or in a manner that endangers a student;
  - iii. For the convenience of staff;
  - iv. As a substitute for an educational program;
  - v. As a substitute for less restrictive alternatives;
  - vi. As a substitute for inadequate staff; and/or
  - vii. As a substitute for positive behavior supports or other crisis prevention.

**VII. Reporting and De-Briefing Requirements after the use of Physical Restraint or Seclusion:**

- a. The staff member(s) using physical restraint or seclusion shall complete all district required reports and document staff's observations of the student.
  - i. As soon as possible under the circumstances the staff member(s) using physical restraint or seclusion shall inform the appropriate school administrator of the use of physical restraint or seclusion.
  - ii. The District's Incident Report shall be completed upon occurrences of physical restraint or seclusion.
  - iii. Completion of the form and submission of the Incident Report to the appropriate administrator must be done the same day the staff member(s) used physical restraint or seclusion.
  - iv. An administrator shall attempt to contact the parent/guardian during the same day of incident.
  - v. A copy of the Incident Report must be made available to parent/guardian by the administrator within 24 hours after receipt of the Incident Report.
- b. The administration shall conduct a debriefing with all involved staff and parents and, if appropriate, the student;
  - i. Debrief utilizing the District's Debriefing Form.

- ii. evaluate the trigger for the incident, staff response, and methods to address the student's behavioral needs;
- iii. During the debrief, if the behavior is noted as a pattern of dangerous behavior that leads to the use of restraint and/or seclusion, a Functional Behavior Assessment, and/or a Behavior Intervention Plan must be completed.

**VIII. Training and professional development:**

- a. The district will ensure that an appropriate number of personnel in each building are trained in crisis management and de-escalation techniques.
- b. The school district will maintain written or electronic documentation on training provided and lists of participants in each training.
- c. All student personnel shall be trained annually on this policy.

**IX. District Monitoring:**

- a. The school board and superintendent shall monitor the implementation of this policy.
- b. This policy shall be accessible on the district's website.
- c. The district shall notify all parents annually on the school's website of its policy on seclusion and restraint.

**X. Complaint:**

- a. A parent/guardian who feels that a school employee violated this policy may file a complaint pursuant to Policy KL: Complaint Against School Employee.

**If the student is a student with a disability, the Parent/Guardian of the student with a disability may file a complaint with the South Dakota Department of Education, Office of Special Education instead of filing a complaint pursuant to the: Complaint Against School Employee.**

**HALL AND BATHROOM SUPERVISION:** All staff are expected to provide systematic supervision the halls during student transitions. Please check bathrooms periodically to ensure proper use.

**STUDENT THREATS:** Please be attuned to any threats made by students. If you hear or are aware of a student making threats relating to violence, it must be reported immediately to the office and supervisor.

**END OF THE SCHOOL DAY:** It is important to provide continuous systematic supervision for students until the buses leave and after school students report to their activity. Each Principal will determine who is responsible for this supervision and notify staff they directly supervise. Staff will not leave school premises before the parent/guardian and students do.

**CURRICULUM:** All classroom content taught must be aligned to the State Student Standards which the state South Dakota adopted. Teachers are required to map their curriculum, diary mapping is expected to be completed, at the minimum, bi-weekly. Curriculum Maps will be developed through the collaboration of grade level teachers, vertical alignment will be an ongoing task.

**VIDEOS/DVDS:** Educational videos/DVDs that correlate directly with the academic content of the classroom may be used if they are appropriate (rated G or PG), have been previewed, and are not used as an alternative to instruction. Entertainment videos/DVDs should be used sparingly as a reward/incentive with approval of the principal and documented in lesson plans.

**STUDENT CUMULATIVE FILE:** An individual student folder is kept on file for each active student. Each teacher is asked to review his/her student's files and add any additional pertinent information. All files must be signed out and back in.

**STUDENT WITHDRAWING/TRANSFERING:** When a student withdraws/transfers from your class, you are required to fill out a student transfer report. Please submit the transfer report, student's report card, attendance information, testing results and any other information to the office within one week of the transfer date.

**TEACHER ATTENDANCE AT EXTRA-CURRICULAR ACTIVITIES:** Although the research shows that having teachers involved in school student activities beyond the work day makes a positive impact for students, the school recognizes that attendance at these events must be left to each teacher's discretion. However, we highly encourage teachers to be involved in student activities to the extent possible.

**HEALTH/NURSE:** Send students who become ill to the nurse for assistance; grades 7-12 will stop at their perspective office for a pass. Staff should be alert for evidence that immediate help might be needed.

**STUDENT MEDICATION:** Any student that needs to take prescription drugs during the school day must turn them into the office to be distributed by the nurse. The parent/guardian/student must provide the medication in the original pill bottle with the doctor's instructions for administering the medicine to the School Office. The parent/guardian must sign a consent form for the administration of the medication.

**EMERGENCIES & DRILLS:** Emergency fire drills are held monthly throughout the school year. Each teacher should become knowledgeable of the procedures and teach them to their students. (See COO/EPP Plan for complete details)

- A. At the sound of the fire alarm signal, everyone will vacate the building at once. Do not permit conversation, horseplay, or running. Insist on a quiet, orderly exit. This is an absolute necessity should oral commands need to be given at any time. Do not allow students to stop for books or coats.
- B. The teacher will make sure that all windows are closed and the lights are off prior to closing the classroom door.
- C. Students will remain in line once they have cleared the building in order for the teacher to take roll. It is advisable for the teacher to take his/her grade book and make a practice of checking the class roll at this time.
- D. No one is to re-enter the building until an all-clear signal is given. Once the all-clear signal is given, everyone will return in an orderly manner.
- E. Exit routes and procedures are posted in each classroom, please make all students aware of them.
- F. All emergency procedures will be explained to all students in your classroom (see COO Plan for all emergencies).

**SITUATIONS TO AVOID (GOOD ADVICE):** Listed below are some of the practices by teachers that seem to cause parents/guardians and students the most concern. All of us have undoubtedly violated a few of these at one time or another. We ask only that you be aware of the problems which can be created by these situations and avoid them.

- Not informing the parents/guardians about students who are making failing or very low grades.
- Not permitting students to make up work when they are absent.
- Embarrassing the student before the rest of the class with ridicule.
- Remarks to the student to be delivered (2<sup>nd</sup> hand) to their parents/guardians.
- Comments to the rest of the class about another student...or a teacher.
- The use of unreasonable consequences or physical punishment in any form.
- Excessive amount of work connected with assignments.
- Comparison of siblings.
- Placing stigma on the entire group (i.e. this is the poorest group I ever had...)
- Loss of self-control (yelling)
- Ignoring bullying behaviors and/or failing to report.

**LOST AND FOUND:** Lost and found articles should be turned into the office. Remind students to check the Lost and Found for any misplaced/missing items.

**CLASSROOM WALK-THROUGHS:** Each Principal and the Curriculum/ Staff Development Director will be performing Classroom Walk-throughs on a regular basis. The Walk-through collects data on the lesson being taught, the instruction, student learner, classroom environment, and differentiation.

**ROMANTIC RELATIONSHIPS:** The C-EB School System prohibits staff to date or attempt to establish romantic relationships with students. No public display of affection by any staff members or substitutes on school grounds.

## **PROGRAM RESOURCES**

**SPECIAL EDUCATION:** The Cheyenne-Eagle Butte School adheres to the adopted South Dakota/BIE Special Education Policies and Procedures. Each classroom will be notified of students with disabilities in their classes and will be provided information about their current Individualized Education Plan (IEP); designated by red flag on your class roster. Each teacher is required to participate in the process of development of a new annual IEP as well as other meetings (Review of Existing Data, Placement, etc.) Staff members who are considering referring a student for an evaluation for special education services are required to show evidence of multiple classroom level interventions over time and to make that referral through the RtI Team.

**GIFTED AND TALENTED PROGRAM:** The Cheyenne-Eagle Butte Gifted and Talented Program will consist of the development of a Gifted IEP with individual projects and group projects in each student's area of high interest and in student strength areas. The Gifted and Talented program requires that students are assessed or evaluated for identified areas of giftedness and re-evaluated annually or every three (3) years. Teachers will be given a list of their students participating in the Gifted and Talented Program and their scheduled time to receive services.

**CRST TITLE I PROGRAM:** The Cheyenne River Sioux Tribe contracts the Title I Program through the Bureau of Indian Affairs. The CRST Title I program provides schoolwide opportunities to address the needs of all children to meet State Content Standards through strengthening the core academic programs at C-EB.

**LAKOTA LANGUAGE/STUDIES:** Students are given an opportunity to participate in Lakota Studies classes each school year. The Lakota Studies classes will concentrate on Lakota Language, History, and Culture utilizing the adopted Lakota Standards. Teachers in other content areas are expected to integrate Lakota topics into their content classes as well. The Cheyenne Eagle School follows the Cheyenne River Sioux Tribal Ordinance 66 which requires all tribally enrolled students to participate in the Lakota Language Program.

**SCIENCE CLASSES:** All science classes will have a minimum of one lab bi-weekly.

**COUNSELING PROGRAM:** The Counseling Program will work with students, teachers, and parents/guardians on a broad spectrum of issues through multiple methods. The Counseling Program will work with students, proactively through preventative programs and by providing small group and classroom guidance and counseling instruction. It will also work with students reactively when there are crisis situations (violence, abuse, suicide, death, divorce, etc) through individual counseling and outside referrals; reintegration plans will be developed, implemented and monitored. The counseling program will help students explore academic interests and strengths to maximize their education and prepare them for post-secondary plans.

**JOHNSON O'MALLEY (JOM):** JOM is a federal aid program designed to help educate Indian children in public school systems. JOM funding is thus available through the School District and not through the BIE.

**LIBRARY:** The library program supports children's independent reading and research as well as their classroom activities. Teachers can schedule a variety of library activities with the librarian.

**SAFE AND DRUG FREE SCHOOLS:** The Safe and Drug-free schools program consists of personnel and activities designed to provide prevention and intervention in the areas of violence, alcohol, tobacco, and drugs.

## **RESIDENTIAL DORMITORY PROCEDURES**

**ACCOUNTABILITY CHECKS:** Residential employees are responsible for knowing where every child is at all times. The use of student check-in/out, roll call, bed checks, passes, and general supervision of students are required procedures.

**APPROPRIATE ROOM DÉCOR:** All staff members should periodically monitor and check the rooms to make certain the sleeping rooms are free from graffiti and inappropriate décor.

**CLEANLINESS:** Each student is expected to perform details/work. Staff is responsible for schedules, follow-up, and recognition of good work. No student should be engaged in a detail after the beginning of study time.



**FAMILY GROUPS:** You will be assigned a family group by the manager or as designee. The purpose of the group is to create a more homelike atmosphere in the dormitory. Family groups will meet at least twice each month to teach and nurture the students.

**ILLNESS:** An isolation/sick room is provided for both boys and girls. Students suspected of being contagious must be placed in the sick room until other appropriate provisions are made. Students placed in the isolation/sick room will be monitored closely. Parents/Guardians may be called to pick up their child and take them to the clinic.

**LAUNDRY:** Students in grades 7-12 are responsible for doing their own laundry and with supervision. Clothing care for students in grades 1-6 is the responsibility of the dorm staff. This is an opportunity to teach students how to sort their clothes, use detergents and machine settings. Students will be informed of posted laundry hours.

**LOG BOOKS:** The log book is used to maintain an open line of communication between the Residential staff with changing tours of duty, and to convey messages on any special information others need to know for the continued smooth operation of the dorm. Accountability issues, illness, problems, schedule changes, or other out of the ordinary pieces of information must be recorded in the log book. The book is to be read carefully when beginning a shift. Notations must be accurate and reflect a professional manner. The Log Book must be kept Confidential.

**MEDICINE:** All medicines are to be kept in the locked medicine cabinet. The Residential staff must document all medicines that are dispensed to students with the name of the student, medicine dispensed, date, time and dosage given.

**MISSING STUDENTS:** Notify the manager, parent/guardian, and law enforcement immediately. Follow up accordingly. A Special Incident Report form will be completed and filed by the end of that school day.

**PRIVACY:** All students have the right to a reasonable degree of privacy, but that privacy does not extend to cases of the health and safety concerns of self, other students, or staff. The school reserves the right to inspect each room and student locker for safety and health hazards and for violations of school regulations. A student's personal belongings will be inspected only in the student's presence unless there is a clear indication with reasonable suspicion that a law or school regulation has been broken.

**STUDY TIME/TUTORING:** Study time/tutoring will be designated and times posted so students can complete home-work, read, and study. Students that need additional help will be provided staff tutoring assistance.

**SUPERVISION BY MOVEMENT:** Supervision of students and their activities is most efficiently done by both observation and constant movement among them. Visiting with students as you move among them will increase your rapport with students.

**TOXIC WASTE/BODY FLUID DISPOSAL:** Residential staff are responsible for the safe and proper disposal of infectious waste. This may include any bandages or other materials. The proper disposal is in a double “Red Bag.” The red bags are obtained through Indian Health Service.

**TWO WAY RADIOS:** You may be assigned a two-way radio for use at work. It is a valuable piece of property that should be protected from damage or loss. It is also an excellent communication tool. Use it as needed professionally. Remember, other people can hear your radio messages.

**VISITORS TO THE DORMITORY:** All visitors in the dormitory must check in at the office. Each visitor must sign in and out with a defined destination or person to visit. They must wear a visitor pass while on campus. All visitors must be escorted through the dormitories.

## **POLICIES AND PROCEDURES FOR ALL STAFF**

Policies, procedures and benefits outlined in this Staff Handbook supersede all previously published or unpublished policies and procedures. Any published or unpublished policies and procedures not in full accord with, deemed to be inconsistent with, or contrary to the policies and procedures hereafter set forth are hereby declared non-enforceable, null, and void. Please note that these policies, procedures and benefits may change periodically and Cheyenne-Eagle Butte School reserves the right to modify, revoke, suspend or terminate any or all of its policies, procedures, and benefits at any time without notice. It is not the intent of this publication to violate any Negotiated Indian Educators Federation Union rules or District 20-1 Negotiated Agreement which supersede for the respective employees.

**VIOLENCE IN THE WORKPLACE:** Violence, threats of violence, harassment, intimidation, and other disruptive behavior in our workplace will not be tolerated. Such behavior can include oral or written statements, gestures, or expressions that communicate a direct or indirect threat of physical harm. Any reports of such behavior will be taken seriously and will be dealt with appropriately. Individuals who commit such acts may be removed from the premises and face appropriate disciplinary and/or criminal penalties.

**GRIEVANCE PROCEDURE:** The employee should try to resolve the problem with his/her immediate supervisor/principal. If the employee/student is still not satisfied with the resolution of the problem at this level it may be taken to the next level supervisor. If the employee is not satisfied with the decision of the board, the employee may want to proceed with filing a complaint with the Equal Employment Opportunity Commission or the Office of Civil Rights. Note that BIE, CRST Title I, and District 20-1 have grievance procedures outlined.

**CHILD ABUSE:** All employees of the Cheyenne-Eagle Butte School who suspect that a child's physical or mental health or welfare may be adversely affected by abuse or neglect shall report such cases to the proper school authorities immediately. Proper school authorities shall be the area principal, counselor, school nurse, or Superintendent/School Supervisor.

**SCAN Reporting Process:** SCAN relates to incidents on three levels, relating to abuse of a child by a school employee (Employee Incident Report). The second SCAN type is related to an

adult that is not employed at the school (Child Abuse/Neglect Report). The third type of SCAN is when a student is transported to the hospital, ill or dies at the school (Critical Incident or Death Report). This process is described in detail and handouts given at the Stand Down each fall. It is your responsibility to know these policies. While staff are under investigation for suspected child abuse (SCAN) the staff member will be relocated where there are not any children or placed on administrative leave with pay until the SCAN investigation is completed. Any subsequent administrative leave for a SCAN shall be without pay.

**CRISIS MANAGEMENT APPROACH:** Each crisis situation is unique and must be treated as the situation warrants. The following statements are to be used only as guidelines.

- Situation occurs.
- Administration notifies parents/guardian.
- Meet with school counselors and administrators as soon as possible. If needed include community mental health personnel and/or clergy.
- Assess the situation and needs.
- Prepare a statement which reflects the truth of the event. The family will be contacted when preparing this statement.
- Talk with staff members about the crisis. The statement will be given to them to read to their first period classes or at the beginning the school day. This will enable staff members to answer questions. This will also enable staff members to understand the process and refer students, in need of help, to counseling.
- The school counselors will go into the classes whose students are directly affected by the event and read the statement. Offer time to talk to any member of the school family.
- Talk directly with friends, family members and staff members.
- Encourage each student to talk with their family members and share their feelings and concerns.
- Counselors and administrators (mental health personnel/clergy if included) will attend a debriefing meeting.

\*If the crisis situation is too personal for you to be impartial, please use your professional judgement as to whether you need to remove yourself from the situation.

### **COO PLAN (CONTINUITY OF OPERATIONS)/EMERGENCY PREPAREDNESS**

**PLAN:** A COO Plan/Emergency Preparedness Plan (EPP) defining various emergencies is available to every staff member at the beginning of the school year. It is the responsibility of every staff member to review the plan and sign off that they received this plan. This plan is also disseminated to parents/guardians during registration. A copy of this plan must be kept in the classroom with a class list and appropriate parent/guardian contact information. This plan and list should be taken with the teacher when evacuation is necessary.

**C-EB SUICIDE INTERVENTION APPROACH:** The following “intervention approach” was developed by the C-EB school counselors and administrators to provide consistency when dealing with suicide ideology.

#### **A. C-EB suicide ideation and suicide INTERVENTION APPROACH**

1. Suicide ideation is always a serious matter and is treated as such. We act immediately upon any report. How we proceed depends upon the situation and the assessment. If a student presents with suicidal ideation, history of attempts, self-harm plans and/or admits to an attempt, they will be transported to the next level of care. Teachers or staff who receive information either directly or indirectly about a suicide ideation concern must contact the counselors/principal **immediately**.
2. A school counselor meets with the student and assesses the situation. If the student does not have a plan but has been thinking about the possibility of suicide, parent/guardian are immediately notified. It is recommended to the parent/guardian they seek professional help for an assessment. The counselor can help arrange an appointment with a local mental health clinic or recommend out-of-town options. A C-EB incident report will be filed by the school counselor detailing the incident, all incident reports will be housed in the building principal's designated location.
3. If the assessment deems no need for a referral to a mental health professional, the school counselor addresses their findings with the principal, student, and parent/guardian. A C-EB incident report will be filed by the school counselor detailing the incident, all incident reports will be housed in the building principal's designated location. A check in/check out plan will be developed for the student if needed.
4. If the assessment requires a referral to a mental health professional, the school counselor immediately contacts the School Resource Officer, building principal and the student's parent/guardian.
5. If a student is transported to the next level of care, a critical incident report will be completed within 24 hours.
6. A documented reintegration plan will be developed by the administrator, parent/guardian, counselor and student. In the event there are previous plans in place the team will align all plans.
  - a. National Suicide Prevention Life Line Phone Number is 1-800-273-8255.
  - b. Crisis Text Line is 741-741.

**NO TOLERANCE TO GANGS AND GANG RELATED BEHAVIOR:** The Cheyenne-Eagle Butte School will not tolerate any gang or gang-related activity or behaviors on school premises. This policy applies to school sponsored activities as well as during the regular school day. Please be aware of the board policy and help to implement this policy by teaching students appropriate behavior, reading the policy to students and discussing possible gang actions that carry consequences, as well as reporting violations of this policy to the office immediately.

**WEAPONS POLICY:** Please familiarize yourself with the No Tolerance Policy forbidding possession of, use of, and/or threat of dangerous and/or illegal weapons on school premises or at school sponsored activities. If you suspect that an adult has entered the school grounds with a weapon, report it to the office immediately.

**PROCEDURE FOR REPORTING BULLYING:** Any staff member who believes he/she has been bullied should report the complaint as soon as possible to your immediate supervisor and will be required to provide written documentation.

# BUREAU OF INDIAN EDUCATION PERSONNEL POLICIES AND PROCEDURES (Selected)

## **GOVERNMENT CREDIT CARD:**

- Employees are expected to read and comply with the provisions of the Department of the Interior Integrated Charge Card Guide.
- If an employee misuses his/her Government charge card and/or fails to make timely payment in full on his/her charge card account balance, his/her government charge card will be withdrawn, suspended or cancelled.
- Disciplinary/corrective action for misuse of the Government charge card and/or payment failure or delinquency may include issuance of a formal letter of warning, payroll deductions for general debt, suspension without pay, or termination from Federal service.
- BIE employees must possess a valid BIE travel credit card; without a travel card you will not be allowed to travel through any entity.

**DRUG FREE WORKPLACE POLICY:** The unlawful possession, dispensing, distribution, manufacture, sale or use of controlled substances and alcohol in the workplace by an employee is prohibited on school premises, affiliated offices, during any school activity, or off duty.

### 11.25 Probationary Period.

- A. The probationary period is an extension of the examining or appointment process, during which a careful review is made of an employee's character and ability to satisfactorily perform the duties of the position. It provides the supervisor an opportunity to measure actual job performance on the job against his/her assessment of the employee's potential at the time the employee was selected. It also provides the supervisor with the opportunity to recommend non-renewal of a contract during the probationary period should the employees' performance fall short of expectations and job requirements or for cause. In addition, a probationary employee may be terminated at any time during the term of a contract. Termination is accomplished by providing written notice to the employee two weeks prior to the effective date of the termination. The school board must be notified of the termination, but school board approval is not required.

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11.31 Restriction on Employment of Relatives. An official with appointment and/or promotion authority shall not advocate, recommend, appoint, employ, promote, or advance a relative within the Department of the Interior. The term relative includes: father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-

brother-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother or half-sister.

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### 11.37 Indian Preference.

- A. The Bureau is required by law to give preference to persons of Indian descent in filling positions, whether through initial appointment or advancement. Preference will be extended to persons of Indian descent who meet any one of the following conditions:
- (1) Members of any Federally recognized Indian tribe;
  - (2) Descendants of such members who were, on June 1, 1934, residing within the present boundaries of any Indian reservation;
  - (3) All others of one-half or more Indian blood of Federally recognized tribes indigenous to the U.S.; and
  - (4) Eskimos and other aboriginal people of Alaska;
- B. Applicants shall submit a properly completed Form BIA-4432 "Verification of Indian Preference for employment in the Bureau of Indian Affairs" in order to be considered a preference eligible.
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### 11.53 Premium Pay.

D. Overtime/Compensatory Time. Contract educators who are eligible for premium pay, who are not otherwise compensated and who are required to perform duties after their normal tour of duty may request and be granted compensatory time in lieu of overtime pay. Earning of either overtime or compensatory time must be authorized in advance by the school supervisor or Education Line Officer as appropriate. Compensatory time may be used during the term of the contract at times when the work will be least disrupted, as jointly determined by the supervisor and employee. Compensatory time will not be carried over to the next contract year. This authority is an exception to the six-month restriction stated in 370 DM 550 Section 1.7.

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11.68 Performance Appraisal Policy. Performance management is a process by which individual and organizational goals are communicated to employees; individual and team accountability for accomplishing organizational goals is identified; individual and organizational performance is evaluated and improved; and the results of performance management are used as a basis for appropriate personnel actions. Every Contract Education employee holding a year-long or school year contract shall be appraised at least annually based against predetermined performance elements and standards consistent with those duties. In annual planning sessions, the employee may assist the supervisor in identifying critical results and performance indicators. At a minimum, progress reviews will be held once every three months during the employee's first contract term of 24 weeks or more, and annually thereafter during each subsequent contract term.

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### 11.76 Employee Discipline and Discharge Policies.

- A. All OIEP staff will direct their efforts toward attaining and maintaining a constructive working environment in which all parties recognize and accept their responsibilities. When such standards are not met, it is essential that prompt and just corrective action be taken. OIEP's policy is to conform with standards of conduct and efficiency which will promote the best interest of the services.
  - B. Discipline and discharges will be administered fairly and equitably without regard to race, color, national origin, religion, sex, marital status, age, physical handicap, political belief, affiliation or activities. Disciplinary actions will be taken promptly as practicable and will be in compliance with these procedures. Where a disciplinary action or adverse action is warranted, the discipline will be in proportion to the character of the offense or series of offenses. (see Appendix F)
  - C. The private nature of disciplinary and discharge action will be respected. The provision of the Privacy Act will be met to protect the rights of the employee.
  - D. Employees covered under the provisions of this section are excluded from coverage under 5 U.S.C. 7511 and 4303.
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#### 11.80 Types of Corrective Actions.

##### A. Informal Disciplinary Actions.

(1) An oral admonishment is a conference between a supervisor and an employee. It is the least formal and least severe type of disciplinary action, having no procedural requirements, no prescribed format, and a high degree of flexibility. As a result of these characteristics, it should be applicable to many disciplinary situations and should produce the desired change in employee behavior, particularly when the employee has no previous history of violations. This is often the first step after a deficiency is noticed. The immediate supervisor will privately inform the employee that he/she is being orally admonished; bring the undesired conduct and/or performance to the employee's attention; explain to the employee what is expected of him/her; give him/her the opportunity to improve; and mention of the possible actions that will result if the unsatisfactory conduct and/or performance continues. The supervisor should keep a summary of the discussion on file for up to one year.

(2) A written warning is a notice given to an employee whose actions warrant a more severe disciplinary action than merely an oral admonishment. The warning will be in the form of a letter explaining specifically and in detail what took place by date, time and nature of offense. It will advise the employee that a copy and any written response or explanation that he/she may make will be retained up to one year by the supervisor.

##### B. Formal Corrective Action.

(1) Reprimand. A letter of reprimand is a written disciplinary action given to employee for misconduct, which is a temporarily recorded in the employee's Official Personnel Folder (OPF) for a period not to exceed two years.

(2) Suspension. A suspension places the employee involuntarily in a non-pay, non-duty status for a specific number of calendar days. A suspension will not be used unless the situation indicates that a lesser penalty is not adequate.

(3) Discharge. Discharge is an involuntary separation taken for very serious misconduct or for continued or repeated acts of misconduct of a less severe nature or for unacceptable performance. There are two types of discharge.

(a) Discharge for cause;

(b) Discharge for unacceptable performance.

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11.81 Procedures for Disciplinary and Adverse Actions. The procedural steps set forth in this part are designed for timely, fair, and equitable processing of employee involved in a formal disciplinary or adverse action.

A. Written Warning. A written warning or notice is a statement given to an employee for an act of misconduct or performance deficiency when an oral admonishment has not caused improvement or would not be expected to do so. The warning notifies the employee of a standard which, if not adhered to, may result in stronger discipline being imposed.

(1) Procedures. The warning will be in the form of an official letter or memorandum describing the reasons for the warning. It will advise the employee that a copy of the letter of warning and any written explanation that he/she may make will be retained by the supervisor.

(2) Withdrawal of Warning. After one year, or when the employee leaves in less than one year, a warning will be removed from the files and destroyed if no further action has been taken on the case. If the employee's conduct so warrants, the warning may be withdrawn for destruction prior to one year. When the warning was issued by the employee's current supervisor, that supervisor may withdraw it. If the employee's current supervisor did not issue the warning, he/she may wish to consult with the previous supervisor who did issue it when withdrawing the warning.

(a) In determining whether a warning should be withdrawn early, consideration should be given to the fact that a removed or withdrawn warning memorandum may not be used to support future charges.

(b) When a warning has been withdrawn early and destroyed, the supervisory official will so inform the employee in writing.

(c) Since the warning will automatically be removed from the files after one year, a grievance may not be based on a supervisor's decision not to remove it earlier than the expiration date.

B. Reprimand. A reprimand is a written statement of censure given to an employee for misconduct, or such concern that a semi-permanent record of the incident should be established. This concern may also be due to repetition minor incidents of misconduct.



(1) Procedures. A reprimand will be an official letter or memorandum describing the reasons for the action which is filed in the Official Personnel Folder (OPF) for a period of two years. It will advise the employee that a copy of the reprimand and any written explanation that he/she may furnish will be placed in his/her Official Personnel Folder. The reprimand will also contain a statement of the withdrawal provisions.

(2) Withdrawal of Reprimand. After two years, or upon the employee's leaving the Federal service, whichever comes first, a reprimand for misconduct will be removed from the OPF and destroyed. If the employee's conduct so warrants, the reprimand may be withdrawn for the destruction prior to the specified time period. When the reprimand was issued by the employee's current supervisor, that supervisor may withdraw it. If the employee's current supervisor did not issue the reprimand, he/she may wish to consult with the previous supervisor prior to withdrawing the letter.

(3) An employee may grieve a reprimand under a negotiated grievance procedure or the grievance procedure contained herein, whichever is applicable. Since the reprimand may be grieved under appropriate grievance procedures initially and will automatically be removed from the personnel folder at some given time not to exceed the specified time period, a grievance may not be based on a supervisor's decision not to remove the reprimand earlier than its expiration date.

C. Suspension. A suspension is an enforced temporary non-pay status and absence from duty. Such action is taken for serious misconduct or for emergency reasons. It may also be taken for continued or repeated acts of misconduct which appear to be a blatant disregard of requirements or which occur after prior efforts of counseling, warning and/or reprimand have failed. It is the responsibility of the proposing official to establish the case file at this point before taking this action.

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#### 11.82 Employee Grievance Policy.

A. Employee shall be treated fairly and equitably in all matters pertaining to their employment. Those who feel that they have not been so treated will have a right to present their grievance to appropriate management officials for prompt consideration and equitable decision.

B. Employees will designate representatives in writing to the deciding official.

C. Employees and their representative, if any, will be unimpeded and free from restraint, coercion, discrimination or reprisal in making or filing a grievance.

D. Impartial and prompt consideration will be given to all grievances. Every effort will be made to resolve employee grievances informally at the lowest possible supervisory levels and as early as possible after being made known to the immediate supervisor.

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#### 11.88 Grievance Rights and Procedures.

A. Employee Rights. An employee, or a group of employees acting as individuals, will be entitled to present a grievance under this procedure and management will accept the

grievance if it is properly presented. Grievances presented by a group must be identical in all respects, or they will be considered individually.

(1) In presenting the grievance, the employee will have the right to be represented at their own expense and advised by a person or their choice providing there is no conflict of interest or position.

(2) If the employee is in active status, a reasonable amount of official time, not to exceed eight hours, will be granted to present the grievance. If a representative is chosen who is also covered by this directive, who would otherwise be in a duty status, the representative will also be granted a reasonable amount of official time, not to exceed eight hours. The Education Line Officer may disallow an employee's representative, whose activities as representative would cause a conflict of interest or an employee whose release from his/her official position would given rise to unreasonable costs to the Government or whose priority work assignment precludes his/her release from official duties.

(3) The employee, in preparing and presenting a grievance, will be entitled to communicate with and see advice from management officials who have been designated by the supervisor as having responsibility for providing such assistance. These sources provide procedural advice and factual information on subject matters for which they are responsible, but do not address the merits of a grievance.

B. When a unit of exclusive recognition exists, the negotiated grievance procedure will be the only procedure available to a covered employee for resolving grievances within its coverage.

C. The deadline for initial filing of a grievance may be extended by the management official receiving the grievance, upon written request by the employee stating the reasons.

D. Cancellation or Termination of Grievance Processing.

(1) A supervisor will cancel or terminate an informal grievance only when requested by the employee or if an informal agreement is reached.

(2) The appropriate management official will cancel or terminate a formal grievance:

- (a) At the employee's request;
- (b) When the employee's employment terminates, unless the relief sought by the employee involves a pay issue;
- (c) Upon the employee's death unless the grievance involves a question of pay;
- (d) If the employee does not furnish the required information and does not proceed with the advancement of the grievance within specified time limits; or
- (e) When the specific relief requested by the employee is granted.

## **ARTICLE 25**

### **BIE GRIEVANCE POLICY**

#### **Section 1. Purpose**

The negotiated grievance procedure (NGP) provides a mutually acceptable method for prompt and equitable resolution of grievances for bargaining unit employees. It is the intent of the Parties to resolve grievances informally at the earliest possible time and at the lowest possible level. This negotiated procedure shall be the sole and exclusive administrative procedure available to employees for settlement of grievances.

#### **Section 2. Definition**

- A. Grievance means any complaint:
- (1) By any bargaining unit employee concerning any matter relating to their employment;  
or
  - (2) By the Union concerning any matter relating to the employment of any bargaining unit employee; or
  - (3) By any bargaining unit employee, the Union, or Management concerning:
    - a. The effect or interpretation or a claim of breach of this Agreement; or
    - b. Any claimed violation, misinterpretation of any law, rule or regulation affecting conditions of employment.

#### **Section 3. Exclusions**

The following matters are excluded from coverage under the grievance procedure and will be rejected if grieved. However, questions concerning application of procedures may be addressed by the Union representative to the Bureau Labor Relations Officer or designee.

- A. Matters relating to prohibited political activities (5 USC, Section 7321);
- B. Retirement, life insurance, or health insurance;
- C. Examination, certification or appointment;
- D. Non-selection for promotion from lists of properly ranked and certified candidates;
- E. Non-selection for detail;
- F. Furloughs of employees under appointments subject to furlough;
- G. Termination of a Temporary Promotion;
- H. Termination or Expiration of Temporary Appointments;
- I. Expiration of Time-limited Appointments;
- J. Termination during Probationary Period;
- K. Classification of any position that does not result in the reduction in grade or pay of an employee.
- L. Counseling with a proper oral warning between a supervisor and an employee;
- M. Proposal of disciplinary, adverse, or performance related actions;
- N. Suspension or Removal for National Security purposes (5 USC, Section 7532);
- O. Removal for failure to pass background investigation based on suitability (e.g., PL 101-

- 630);
- P. Periodic discussions of performance between the supervisor and employee during the appraisal period;
- Q. Content of written policies and regulations of OPM, DOI, AS-IA, BIA, BIE, and OST;
- R. Non-adoption of a Suggestion; disapprovals of Quality Step Salary Increases, Performance Awards, or other Discretionary or Honorary Awards.

#### **Section 4. Other Applicable Procedures**

As provided for in 5 USC Section 7121, the following actions may be filed either under the statutory procedure or under the NGP but not both:

- A. Actions based on unsatisfactory performance (5 USC Section 4303);
- B. Adverse Actions (5 USC Section 7512), and/or
- C. Discrimination (5 USC Section 2302(b)(1)).

- (1) The employee shall have the option of choosing a procedure. Filing constitutes a final decision of the employee's choice.
- (2) Nothing in the Agreement shall constitute a waiver of any further appeal or review rights permissible under 5 USC Chapter 71 in accordance with the agreement. Only Title 5 employees can appeal adverse actions or unsatisfactory performance based actions to the Merit System Protection Board (MSPB).
- (3) If the employee files with the MSPB, Equal Employment Opportunity Commission (EEOC), or under the NGP, the respective procedure will be used.

#### **Section 5. Representation**

Any Employee desiring representation under the negotiated grievance procedure at any step may have only Union representation or someone appointed by the Union. An employee may personally present a grievance and have it resolved without representation by the Union provided the Union is at all discussions between Management and the employee in the grievance process and resolutions.

#### **Section 6. Resolution**

Most grievances arise from misunderstandings or disputes that can be resolved promptly and satisfactorily on an informal basis at the immediate supervisory level. The Employee and their immediate supervisor, or the Management Official who has the authority to resolve the matter, are encouraged to meet to discuss any cause of dissatisfaction in an effort to resolve the matter prior to raising the issue as a grievance. The Union is also encouraged to have discussions with

Management in an effort to resolve matters prior to filing a grievance in the matter.

## **Section 7. Procedure**

- A. Time Frame. Unless it is continuing in nature, the grievance must be received (date stamped) within fifteen (15) work days of the incident or personnel action given rise to the grievance or within fifteen (15) work days after the date that the grievant could reasonably be expected to be aware of the incident or personnel action. A continuing violation is an exception to the general rule for grievance filing time limits. For example, where the Union or an employee asserts that an alleged violation has occurred on a continuing basis, a grievance filed within fifteen (15) work days of a discrete event would be considered timely filed. This exception would exist when neither the Union, nor the employee, nor Management was aware or may reasonably have been expected to be aware of the facts or assertions giving rise to the grievance.
- B. Format: Grievance Form (Appendix E) must be completed and must contain the following:
  - (1) Employee's Name/Union
  - (2) Office, School, or Agency location;
  - (3) Telephone number,
  - (4) Date of the alleged incident or personnel action
  - (5) Description of the facts of the grievance

## **Section 8. Exchange of Information**

- A. The parties have an obligation to share information which is relevant and necessary to the issues raised within the scope of the grievance, to the extent that it is available to the parties at that time and its disclosure is not otherwise precluded by statute or regulation in effect at the time of the signing of this collective bargaining agreement. Information should normally be exchanged prior to a grievance meeting being held or a decision being rendered on the grievance. This information should be promptly provided to the opposing party, and when practicable, at least two (2) full work days prior to a grievance meeting.
- B. The parties may agree, in writing, to extend the time frame for responding to, or otherwise processing, a grievance, if the circumstances warrant such agreement.

## **Section 9. Step 1 Grievances**

- A. Workplace Grievances. A formal grievance over a workplace issue shall be filed with the immediate supervisor.
- B. Disciplinary Grievances (letters of warning, reprimands, suspensions of 14 calendar days or less). A formal grievance over a disciplinary action, shall be filed with the next level of supervisor or with the lowest level management official with the authority to resolve the issue. The grievance will proceed through the chain of command no further than the

official that has both proposing and deciding authority on disciplinary matters. If the identity of the official is unknown to the employee, he/she may file the grievance with his/her supervisor or with the deciding official, who shall promptly forward it to the appropriate Management official.

- C. Adverse Actions (suspensions more than 14 calendar days, reduction in grade or pay, removals, or furlough of 30 days or less). The grievance over an adverse action will be filed with the supervisor of the deciding official, unless the deciding official has final authority for adverse actions in their organization. In that instance, the grievance will be filed with the deciding official. If the decision is upheld, the Employee/Union will be notified within ten (10) work days of the decision, at which time they may invoke arbitration.
- D. Group and Class Grievance: The Union may file a single grievance under this procedure on behalf of any number of employees who have similar claims. Several grievances filed by different employees over an identical matter, filed at one or more offices shall be combined and treated as a single grievance upon request of the Union.

### **Section 10. Response to Step 1**

- A. Management shall issue a final written response to the Employee/Union and Union representative (if designated) within ten (10) work days from receipt of the Step 1 grievance. The written response shall include:
  - (1) Rationale for the decision made;
  - (2) Name, Title, Address, and Telephone Number of the Management Official for the Step 2 grievance.
- B. Either party may request a meeting or appropriate conference call be held on the matter. If the grievant does not receive an answer within the designated time limit for responding to the Step 1 grievance, it may be elevated by the Employee/Union or Union representative to Step 2.

### **Section 11. Step 2 Grievances**

If the grievance does not accept the written decision, a Step 2 grievance may be filed within ten (10) work days of receipt of the written decision to the next level supervisor.

### **Section 12. Response to Step 2**

- A. Management shall issue a final written response to the Employee/Union or Union representative (if designated) within ten (10) days from receipt of the Step 2 grievance. The written response shall include:
  - (1) Rationale for the decision made;
  - (2) Name, Title, Address, and Telephone Number of the Management Official for the Step 3 grievance.

- B. Either Party must request a meeting or appropriate conference call be held on the matter. If the grievant does not receive an answer within the designated time limit for responding to the Step 2 grievance, it may be elevated by the Employee/Union or Union representative to Step 3.

### **Section 13. Step 3 Grievances**

If the grievant does not accept the written decision at Step 2, a Step 3 grievance may be filed within ten (10) work days of receipt of the written decision with the next level supervisor, as appropriate or as designated. The grievance will proceed through the chain of command no further than the official that has both proposing and deciding authority on disciplinary matters. Either Party may request a meeting or conference call be held to discuss the grievance.

### **Section 14. Response to Step 3**

Management must render a written decision within ten (10) work days from receipt of the Step 3 grievance. The decision will include the Union's right to request Arbitration. (See Article 26, Section 5, Invoking Arbitration).

### **Section 15. Expedited Grievance Procedures**

Parties may mutually agree on a case-by-case basis to waive any step of the grievance procedure.

### **Section 16. Management Grievances**

Management may file grievances against the Union within fifteen (15) work days of the incident or the date Management could be expected to be aware of the matter. Management shall bring the matter to the attention of the Union President or designee, who shall render a decision in writing within ten (10) work days.

### **Section 17. Union Grievances**

- A. A union grievance is a grievance as defined in Section 2.A. of the article, ie., any allegation by the Union concerning any matter related to the employment of any bargaining unit employee, group of employees, or the Union, concerning the effect, interpretation of, or a claimed breach of, this Agreement; or any claimed violation or misinterpretation of, any law, rule, or regulation effecting conditions of employment of bargaining unit employees, in which the Union is the Grievant although the allegation of the violation may impact the working conditions of one or more bargaining unit employee(s).
- B. Union grievances which involve a matter that has arisen solely in one of the four Bureau/Offices in the unit (BIA, BIE, OST, or AS-IA) shall be filed by the Union's President or designee with the respective office director: Director of the BIA, Director of the BIE, the Special Trustee, or the Assistant Secretary. Union grievances which involve a matter that has arisen in more than one of these organizations shall be filed with the senior management official deemed appropriate as captured in official AS-IA, BIA, BIE,

or OST organizational charts normally found in the 100 series of the Department Manual. Unless they are continuing in nature, Union grievances shall be filed within fifteen (15) work days of the incident or the date the Union could reasonably be expected to be aware of the matter. Management shall render a decision in writing within ten (10) work days.

### **Section 18. Time Limits**

Parties may extend any time limit during any step of the grievance on a case-by-case basis by mutual agreement. Parties will agree to a reasonable extension of the time limits. Failure of the Employee to meet any of the time limits at Step 1 or to request and receive an extension of time shall automatically cancel the grievance, unless mutually agreed otherwise. Failure of Management or the Union to meet time limits or to request and receive an extension of time shall automatically move the grievance to the next step. All time frames in the Article refer to work days, unless specified otherwise.

### **Section 19. Cancellation**

Grievances will be cancelled:

- A. At the Employee's or Union's request;
- B. Upon termination of the Employee's employment with the Agency, unless personal relief to the Employee may be granted after termination of employment;
- C. Upon death of the Employee, unless the grievance involves a question of pay, records, leave or retirement;
- D. When Management has granted the remedy requested;
- E. When the grievance is resolved.

## **BIE UNION CONTACT INFORMATION**

### **Federation of Indian Service Employees**

**1218 Lomas Blvd NW**

**Albuquerque, NM 87102-1856**

**Office Phone (505) 243-4088**

**Fax (505) 243-4098**

All FISE Board members are on full or part time release and will be actively servicing our members in their respective geographical areas:

#### **Sue Parton**

**President**

[Issuesparton@fise-aft.org](mailto:Issuesparton@fise-aft.org)

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#### **Coverage Areas**

SIPI, Haskell, OST Masthead, Nationwide

#### **Jim Gertner**

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#### **Coverage Areas**

All Navajo Nation (Arizona, New Mexico,

Hopi, Havasupai

#### **Tony Rowe**

#### **Coverage Areas**



## **DISTRICT 20-1 PERSONNEL POLICIES/PROCEDURES IN NEGOTIATED AGREEMENT FOR TEACHERS (SELECTED)**

### ***Article II: PROFESSIONAL PERFORMANCE***

It is the responsibility of administrators to carry out the evaluation of teachers under their supervision in a manner consistent with the law and policy negotiated.

### **EVALUATION POLICY AND PROCEDURES**

The Board of Education recognizes that evaluation is done with a teacher and not to a teacher. Evaluation has a dual purpose: first, to improve the quality of the instructional program available to students and second, to form a basis for rational decisions by the administration and school board concerning hiring and firing. Evaluation techniques and materials should offer assistance to teachers to aid in the upgrading of the instructional program. The evaluation program and criteria should be built around the established educational philosophy, objectives, and educational program adopted by the professional staff of the school district. A copy of the evaluation program will be given to each teacher upon signing of his/her contract.

The teachers recognize the right, duty, and responsibility of the administration to make periodic evaluations of the performance of the teachers for the purpose of providing a basis for teacher improvement and an assessment of teacher effectiveness. The following sections shall be adhered to by all evaluations.

Teachers in years one to three of employment, Probationary Teachers, must be evaluated each year. Teachers in years four to fifteen of employment, Continuing Contract Teachers, must be evaluated each year. Teachers in years sixteen and beyond of employment, Continuing Contract Teachers, must be evaluated every two years. It is the responsibility of the designated supervisor/evaluator to carry out the evaluation of education support personnel under the supervision in a manner consistent with job description. Teachers will be notified of non-renewals by April 15.

#### **Section 1:**

A copy of the evaluation system will be given to each teacher upon signing his/her contract.

#### **Section 2:**

All observations and evaluations of the performance of the teacher shall be done openly with the full knowledge of the teacher. The use of eavesdropping, closed circuit television, public address or audio systems, and surveillance devices shall be strictly prohibited. It is recognized that teacher responsibility extends beyond the classroom in many ways, and observations made during the school day in the line of duty constitutes part of the evaluation. Walkthroughs are

important parts of the evaluation process. Any informal observation that the evaluator wants to document and file in a personnel file must be signed by the teacher.

### **Section 3:**

In the event there is a disagreement between the teacher and the administrator which may affect the teacher's employment status, arrangements shall be made for a different evaluator to evaluate the teacher.

The teacher shall have the right to review his/her personnel file. In addition to the provisions contained therein, no material derogatory to a teacher's conduct, service, character, or personality shall be placed in his/her file unless the teacher has had an opportunity to read the materials. The teacher shall acknowledge that he/she has read such materials by affixing his/her signature. Such signature merely signifies that he/she has read the material to be filed and does not necessarily indicate agreement with its content.

In the event that exception is taken by the teacher to any statement in his/her personnel file, he/she shall have the opportunity to prepare a signed opposition statement. The superintendent shall review the opposition statement and attach it to the appropriate file copy. The administrator or the other responsible person shall be informed of such action.

The teacher shall have the right to request and receive a copy of any material in his/her personnel file. A teacher shall have the right to indicate the materials in his/her file which he/she believes to be obsolete, unfounded, or otherwise inappropriate. These materials may be destroyed with the concurrence of the teacher, administrator and the superintendent.

The Board agrees it shall not establish any separate personnel file which is not available for teacher's inspection and the teacher shall be notified of all files that are available for such inspection.

## ***Article III: SUPERVISION***

### **Section 1**

Staff members shall discuss problems and requests with their immediate supervisor prior to discussing these issues with the District Superintendent. The immediate supervisor shall be informed, by the staff member, when the staff member elects to discuss problems and requests with the District Superintendent. Staff members shall discuss these problems and requests with the District Superintendent before taking these issues to the Board of Education. The District Superintendent shall be informed, by the staff member, when the staff member elects to discuss problems and concerns with the Board of Education. All staff members are responsible to the District Superintendent.

The placement of Education Support Personnel is the responsibility of the Superintendent in cooperation with the Principal involved. Duties and responsibilities of Education Support Personnel are to carry out assignments by Superintendent and Principal according to the policies of the Board of Education.

***Article XXIII: NEGOTIATED POLICIES NOT INCLUDED IN THIS DOCUMENT***

Policies and procedures on Reduction in Force, Teacher Evaluation, and Grievance Procedure cannot be amended or repealed without concurrence with the EBEA.

**DISTRICT 20-1 PERSONNEL POLICIES/PROCEDURES IN  
NEGOTIATED AGREEMENT FOR SUPPORT PERSONNEL  
(SELECTED)**

**EVALUATIONS AND PROCEDURES:** Evaluations will be made by the immediate supervisor. It is the responsibility of the designated supervisor/evaluator to carry out the evaluation support personnel under the supervision in a manner consistent with job description. Education Support Personnel will be notified of non-renewals by May 15.

**CRST TITLE I**

All CRST Title I employees will follow the Cheyenne River Sioux Tribe Personnel and Procedure.