

**Cheyenne-Eagle Butte
Schools**

STAFF

HANDBOOK

***2024-2025
SCHOOL YEAR***



C-EB School Board Approved: March 21st, 2024

CHEYENNE-EAGLE BUTTE 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.

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OUR MISSION:

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.

STUDENT EXPECTATIONS:

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

PANDEMIC RESPONSE 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

STAFF ETHICS:

School employees hold positions of public trust. High standards of honesty, integrity, and fairness are to be exhibited by each school employee when involved in any school activity. Ethical behavior by staff is required and expected at all times while fulfilling one's employment responsibilities and when at all school functions.

School employees are required and expected to:

1. treat students, parents, fellow employees, and community members with respect. Conduct which is prohibited includes, but is not limited to:
 - inappropriate verbal, visual or physical conduct, including jokes that demean an individual or group of individuals, spreading gossip about any individual, threatening another individual and all types of bullying behavior;
 - without proper authorization and authority violating another person's right of privacy and/or intentionally invading another person's personal space;
 - knowingly falsely accuse an individual for conduct not done by the person.
2. promote a safe, nurturing, and positive school and work environment. Conduct which is prohibited includes, but is not limited to:
 - any conduct that is severe and objectively offensive so that it creates or results in an intimidating, hostile or offensive work or learning environment or has the purpose or effect of substantially or unreasonably interfering with an employee's or student's performance;
 - threatening, harassing, punishing or retaliating behavior against students and/or other employees.
3. maintain confidentiality concerning students, families and employees.
4. act in a manner consistent with school policies, legal and contractual standards, responsibilities, and obligations.
5. model and promote appropriate dress and language.
6. report to a school administrator knowledge of mismanagement, waste of funds, misuse of school property, abuse of authority, threats to safety, violations of policies and regulations, or other conduct that damages integrity or reputation of the school.

Federal Office of Inspector General:
OIG Hotline Number: 1-877-499-7295
Written Complaints May Be Sent to:
ATTN: OIG Hotline
OPM Office of the Inspector General
1900 E Street NW Room #6400
Washington, DC 20415-1100

7. refrain from using school employment to promote personal political and/or religious views.

In addition to the foregoing, the school, within this policy, adopts and incorporates into this policy as if set forth in full, the South Dakota Department of Education Professional Teachers Ethics as set forth in ARSD 24:08:03. The Professional Teachers Ethics as incorporated into this policy applies to:

- Teachers - a person charged with responsibility in the field of education and certified by the secretary of the Department of Education as a teacher or other specialist employed or contracted to provide services in an educational setting,
- Education Specialists - a person with specialized training or licensure, not serving as a classroom teacher, but employed or contracted to provide services in an educational setting, and
- Noncertified Educators - a person charged with responsibility in the field of education who is not certified by the secretary of the Department of Education as a teacher, administrator, or other education specialist, but who is employed or contracted to provide services in an educational setting.

Furthermore, the school, within this policy, adopts and incorporates into this policy as if set forth in full, the South Dakota Department of Education Professional Administrators Ethics as set forth in ARSD 24:11:03. The Professional Administrators Ethics as incorporated into this policy applies to:

- the Superintendent,
- the Business Manager, and
- all other educational administrators.

Any employee who believes a staff member has engaged in conduct which violates the code of conduct shall immediately report the alleged misconduct to their immediate supervisor. If the concern/complaint involves the individual's immediate supervisor, the complaint may be filed with any administrator within the school district.

All complaints will be investigated and should the investigation result in a determination of unethical behavior by a school employee such unethical behavior shall constitute just cause for discipline, up to and including termination of employment. A complaint reported which was intentionally and knowingly false will result in disciplinary action being taken against the person or persons involved in the false complaint being made.

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 (email).

TITLE IX INFORMATION & CONTACT

The Cheyenne-Eagle Butte School (C-EB) does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX and its regulations, including in admission and employment.

Inquiries about Title IX may be referred to Kara Four Bear, Title IX Coordinator, the U.S. Department of Education's Office for Civil Rights, or both. The C-EB Title IX Coordinator is Kara Four Bear, EBSD Superintendent, and they may be reached at 605-964-4911; via email at Kara.FourBear@k12.sd.us; PO Box 260 Eagle Butte, SD 57625; or by visiting the EBSD Business Office located at 24 W. Prairie Rd. Eagle Butte, SD 57625. C-EB's nondiscrimination policy and grievance procedures can be located at <https://ceb.k12.sd.us/index.php> on the school website or otherwise describe location(s).

To report information about conduct that may constitute sex discrimination or make a complaint of sex discrimination under Title IX, please refer to <https://ceb.k12.sd.us/resources.php> on the school website or otherwise describe location(s).

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.

HARASSMENT

Cheyenne-Eagle Butte High School is committed to ensuring that every student has the right to be free from any type of harassment from any person. It is our responsibility to create a safe environment for all. Any verbal or physical action that makes a student feel threatened or afraid may be considered an intimidating, bullying, or abusive behavior. This type of behavior will be collectively referred to as harassment. All harassment and bullying behaviors will be subject to immediate disciplinary action as noted on the discipline matrix. Response to Harassment: Any student who believes that he/she is or has been a victim of any harassment will be investigated and appropriate measures will be taken for both the victim and the offender. Students with any knowledge of such behavior from/to either staff or students are encouraged to tell a staff member immediately. Confidentiality will be maintained for the reporting student or staff member.

Definitions of Harassment

- Sexual—Any unwelcome verbal or physical conduct of a sexual nature, request for sexual favors, or other sexually-oriented advance is considered sexual harassment. Sexual harassment can be as blatant as rape, as obvious as telling dirty jokes or using vulgar language, or as subtle as a look. It can occur with opposite or same-sex persons. It can be from adult-to-student, student-to-student, or student-to adult.
- Bullying—Cruel verbal, social, or physical abuse from one student to another or to an adult will be considered bullying behavior. Bullying usually consists of repeated offenses but can also be just one incident. Physical bullying includes hitting, pinching, biting or kicking the victim. It can involve taking or damaging the victim's property. Verbal bullying includes using words, either verbal or written, to hurt or humiliate another. It can involve name-calling, insulting, making social comments or constant teasing. Relational bullying includes excluding or rejecting another from social activities or connections, and purposely leaving others out at the encouragement of another student. Reactive victims include those who intentionally encourage a bully to harass them as to provoke the bully into action, fight back, and claim self-defense.
- Intimidation—A bullying behavior or any action from another that causes the student to feel threatened or fearful. Physical or verbal abuse is a form of intimidation.
- Abuse—Any physical or verbal action from another that causes emotional or physical pain to another is considered abuse. Behaviors can be blatantly cruel or subtly unkind.
- Hazing—Any participation in the persecution of others by rough practical jokes, forced or demeaning acts or tasks, physical or verbal abuse for the entertainment of others will be considered hazing. This includes any intentional or reckless act committed by a student, whether individually or with others, in person or in writing, against another student with a risk of potential physical injury, mental harm or degradation.

SEXUAL HARASSMENT

Our school does not discriminate on the basis of sex in any education program or activity that it operates, including admission and employment. The school is required by Title IX of the Education Amendments of 1972 and the regulations promulgated through the U.S. Department of Education not to discriminate in such a manner. Inquiries about the application of Title IX to the school may be referred to the school's Title IX Coordinator, to the Assistant Secretary for Civil Rights of the Department of Education, or both. (34 CFR § 106(b)(1)).

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

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

I. DEFINITION

- An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct;
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or
- "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

Any person may report sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator. (34 CFR § 106.8(a))

Any student who believes that he or she has been or is being subjected to sexual harassment or has reason to suspect another person has been or is being subjected to sexual harassment may also report it to a teacher, guidance counselor, or school administrator. The report may be made verbally or in writing.

The school's response shall treat complainants and respondents equitably by offering supportive measures to a complainant, and by following a grievance process that complies with Title IX requirements before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent. (34 CFR § 106.44(a))

II. DESIGNATION OF TITLE IX COORDINATOR

The Board has designated the following school employee to coordinate its efforts to comply with its responsibilities as set forth in 34 CFR Part 106, who shall be referred to as the "Title IX Coordinator." (34 CFR § 106.8(a))

Name or Title: Kara Four Bear, Superintendent of Eagle Butte Public School District 20-1

Office Address: PO Box 260 Eagle Butte, SD 57625

Email Address: Kara.FourBear@k12.sd.us

Telephone Number: 605-964-4911

The school shall notify applicants for employment, students, parents or legal guardians of elementary and secondary school students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the school, of the name or title, office address, electronic mail address, and telephone number of the employee or employees designated as the Title IX Coordinator. (34 CFR § 106.8(a)) The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures. (34 CFR § 106.30(a))

III. DISSEMINATION OF POLICY

The school shall notify persons entitled to the notification under Section I. above that the school does not discriminate on the basis of sex in the education program or activity that it operates, and that it is required by Title IX and this policy not to discriminate in such a manner. Such notification must state that the requirement not to discriminate in the education program or activity extends to admission and employment, and that inquiries about the application of Title IX to the school may be referred to the school's Title IX Coordinator, to the U.S. Assistant Secretary of Education, or both.

The school shall prominently display the contact information required to be listed for the Title IX Coordinator on its website, and in each handbook or catalog that it makes available to persons entitled to a notification pursuant to Section I. above. (34 CFR § 106.8(b))

IV. ADOPTION OF GRIEVANCE PROCEDURES

The school has adopted and published grievance procedures (ACAA-R(1), Sexual Harassment – Regulations) that provide for the prompt and equitable resolution of student and employee complaints alleging any action that would be prohibited by Title IX and this policy. The school shall provide to persons entitled to a notification under Section I above notice of the school's grievance procedures and grievance process, including how to report or file a complaint of sex discrimination, how to report or file a formal complaint of sexual harassment, and how the school will respond. (34 CFR § 106.8(c))

V. DEFINITIONS

(34 CFR § 106.30(a), except when otherwise indicated)

- a. "Actual knowledge" means notice of sexual harassment or allegations of sexual harassment to the school's Title IX Coordinator or any official of the school who has authority to institute corrective measures on behalf of the school, or to any employee of an elementary and secondary school. Imputation of knowledge based solely on vicarious liability (when a person has a particular legal relationship to the person who acted negligently) or constructive notice (deeming notice of something to a person having been given, even though actual notice did not exist) is insufficient to constitute actual knowledge. This standard is not met when the only official of the recipient with actual knowledge is the respondent. The mere ability or obligation to report sexual harassment or to inform student about how to report sexual harassment, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures on behalf of our school.
- b. "Complainant" means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.
- c. "Dating violence" means violence committed by a person:
 1. who is or has been in a social relationship of a romantic or intimate nature with the victim; and
 2. where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - i. the length of the relationship.
 - ii. the type of relationship.
 - iii. the frequency of interaction between the persons involved in the relationship. (34 U.S.C. 12291(a)(10))
- d. "Decision-maker" means the school administrator who has primary responsibility and authority related to students, staff and attendance center where the alleged sexual harassment occurred, unless otherwise designated by the Board, and who has the authority to make a determination on the complaint as to responsibility of the respondent.
- e. "Domestic violence" includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate

partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction. (34 U.S.C. 12291(a)(8))

- f. "Education program or activity" includes locations, events, or circumstances over which the school exercised substantial control over both the respondent and the context in which the sexual harassment occurs. (34 CFR § 106.44(a))
- g. "Formal complaint" means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the school investigate the allegation of sexual harassment. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the school. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information required to be listed for the Title IX Coordinator, and by any additional method designated by the school.
- h. "Document filed by a complainant" means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the school) that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint. Should the Title IX Coordinator sign the formal complaint, the Title IX Coordinator is not a complainant or otherwise a party, and the Title IX Coordinator must comply with the Title IX requirements.
- i. "Notice" includes, but is not limited to, a report of sexual harassment to the Title IX Coordinator.
- j. "Respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.
- k. "Sexual assault" means any nonconsensual sexual act proscribed by Federal, Tribal, or State law, including when the victim lacks capacity to consent. (20 U.S.C. 1092(f)(6)(A)(v))
- l. "Stalking" means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
 - 1. fear for his or her safety or the safety of others; or
 - 2. suffer substantial emotional distress. (34 U.S.C. 12291(a)(30))
- m. "Supportive measures" means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the school's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the school's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, escorting the complainant while on school property or while at a school off-campus activity, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

VI. SCHOOL'S RESPONSE TO SEXUAL HARASSMENT

(34 CFR § 106.44)

- A. General response to sexual harassment. Regardless of whether or not a formal complaint is filed, should the school have actual knowledge of sexual harassment in a school educational program or activity against another person in the United States, the school shall respond promptly in a manner that is not deliberately indifferent (i.e., if the school's response to sexual harassment is clearly unreasonable in light of the known circumstances). The Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes with respect to

supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.

- B. Response to a formal complaint. In response to a formal complaint, the school shall follow the grievance process as set forth in ACAA-R(1), Sexual Harassment – Regulations.
- C. Time frames. The time frames set forth in the regulations shall be considered as a maximum length of time within which the related step is to be completed, however, the time frames may be extended for good cause upon written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause includes, but is not limited to, utilization of the informal resolution process, availability of an investigator if not a school employee, complexity of the investigation, absence of a party, a party’s advisor, a witness, or decision-maker (including a person necessary for addressing an appeal), concurrent law enforcement activity, or the need for language assistance or accommodation of disabilities.
- D. Emergency removal. Nothing in Title IX regulations or this policy prohibits the school from removing a respondent from the school’s education program or activity on an emergency basis, provided that the school undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal, however, nothing in Title IX regulations or this policy may be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act. Additionally, nothing in the Title IX regulations or this policy prohibits the school from placing an employee respondent on administrative leave during the pendency of a grievance process, however, nothing in Title IX regulations or this policy may be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act.

The policy in its entirety may be located for your review within the school office and via the following web link: <https://ceb.k12.sd.us/pdf/2020/Title-IX-Policy-Update.pdf>

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 accommodations 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

EQUAL EDUCATION OPPORTUNITIES STATEMENT:

The Cheyenne-Eagle Butte Schools provide 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 school’s non-discrimination policies:

PROGRAM	CONTACT PERSON	ADDRESS	PHONE NUMBER	EMAIL
District 20-1 Federal Programs: JOM, Title III, Title IX, IMPACT Aid, Perkins, Title VI	Kara Four Bear, District 20-1 Superintendent	P O Box 260 24 West Prairie Rd Eagle Butte, SD 57625	605-964-4911	Kara.FourBear@k12.sd.us
BIE Title IX	TBA BIE School Supervisor	P O Box 672 Eagle Butte, SD 57625	605-964-8777	TBA
District 20-1 SPED Director	Rebekah Smith 20-1 SPED Director	P O Box 672 24 West Prairie Rd Eagle Butte, SD 57625	605-964-4911	Rebekah.Smith@k12.sd.us
BIE SPED Director	TBA BIE SPED Director	P O Box 672 Eagle Butte, SD 57625	605-964-8777	TBA
District 20-1 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
District 20-1 Upper Elementary Section 504 Coordinator	Cynthia Charger Upper Elementary Counselor	P O Box 260 24 West Prairie Rd Eagle Butte, SD 57625	605-964-4911	Cynthia.Charger@k12.sd.us
BIE High School Section 504 Coordinator	Leslie E. Logg Acting HS Principal	P O Box 672 Eagle Butte, SD 57625	605-964-8777	Leslie.Logg@bie.edu
BIE Junior High Section 504 Coordinator	Jaime O'Neal, Junior High Counselor	P O Box 672 Eagle Butte, SD 57625	605-964-7841	Jaime.Oneal@ohitika.com
BIE Primary Section 504 Coordinator	Darleen Brown Primary Principal	P O Box 672 Eagle Butte, SD 57625	605-964-7920	Darleen.Brown@bie.edu
E.A.G.L.E. Center Section 504 Coordinator	Dr. Vicki Birkeland, E.A.G.L.E. Center Principal	P O Box 672 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 these links: www.ohitika.com and <https://ceb.k12.sd.us/resources.php>

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, 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.

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.

	Personal/Annual	Emergency	Sick
District	15 Days Discretionary Leave		
95-561 Contract	48 hours/school year	-	Earn 4 hrs./pp
95-561 Status Quo	6 hours/pp.	-	Earn 4 hrs./pp
CRST Title I	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 always professional. Please use professional discretion in choosing your attire. Clothing should be clean, free of inappropriate slogans or logos, untorn, without undergarments showing and in good condition. Job related clothing is acceptable. Examples: spirit t-shirts on Spirit Days, and nice sweats if you are a physical education teacher.

All BIE staff members will be provided a C-EB BRAVES shirt that will be worn one time per week. In the event a replacement shirt is needed the BIE will provide a replacement. The request will be submitted to your building principal one month in advance of replacement request. All C-EB staff members will be provided a shirt.

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

KEYS:

Building/Classroom keys or key cards will be issued and must be checked in at the end of your contract. There will be a charge for lost keys or key cards 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 IDP will be due September 25th 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. All travel must be approved by CRST Title I Director 4 weeks in advance. All travel reconciliation must be completed within 5 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 and through the means listed below. 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.

- C-EB's official social media platform(s) and local media outlets
- School website
- School Messenger
- KIPI Radio (when available)

- Parent/Guardian Mailings
- School Board Meetings
- Television Media Outlets

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. Systematic Supervision does not include the use of cellphones while supervising; see page 25 for cellphone use. 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. Staff members with BIE issued equipment are required to submit a technology e-mail for IT assistance: mojohelpdesk@ohitika.com. Staff members with District 20-1 issued equipment may email the UE Technology Director for assistance. All staff will be charged for damaged equipment that has been assigned to them.

USE OF COMPUTERS AND NETWORKS:

Internet users, like traditional library users, are responsible for their actions in accessing online resources. Faculty, staff, students or parents/guardians will be held accountable for the guidelines set forth in Staff and Student/Parent Handbooks. It is the policy of the school to:

- a) prevent user access over its computer network to, or transmission of, inappropriate material via internet, electronic mail, or other forms of direct electronic communications;
- b) prevent unauthorized access and other unlawful online activity;
- c) prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors; and

- d) comply with the Children’s Internet Protection Act [Pub. L. No. 106-554 and 47 USC 254(h)].

School staff will provide age-appropriate training for students who use the internet facilities, networks, software, and hardware. The training provided will be designed to promote our commitment to:

- a) The standards and acceptable use of internet services as set forth in the Acceptable Use and Internet Safety Policy;
- b) Student safety with regard to:
 - safety on the internet;
 - appropriate behavior while on online, on social networking websites, and in chat rooms; and
 - cyberbullying awareness and response.
- c) Compliance with the E-rate requirements of the Children’s Internet Protection Act (“CIPA”).

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 ELGIBILITY:

All activity eligibility is due into NASIS by Tuesday at 4:15p.m.

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.

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 AND SOCIAL MEDIA:

Staff need to ensure students have a verified student press release on file before submission to newspaper/social media. Each teacher, coach, and activity sponsor is encouraged 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. Submissions need to be approved by your Building Administrator. The C-EB schools have an official Facebook page and has designated appointees who will post announcements.

MAIL:

Each staff member has access to a Staff Mail Box. Please check your mail 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 the Unified 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:

E-mail will be the primary tool to get information disseminated quickly to all staff. Staff will be provided a school email account. 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.”

- 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.
- Do not leave documents relating to students (IEP notices, etc.) lying around carelessly. These documents contain confidential information and need to be kept secure.
- Do not divulge grades or other student achievement information, such as posting class grades.
- Do not post school or student information via personal social media websites.
- Do not take pictures of student to send to parents via phone or technological devices.

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 8:00 am. Note that BIE/state standards must be identified on every lesson plan. Units placed in Planbook 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, State testing, 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, State testing, 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.

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 15th.
- Principals have a responsibility to work directly with teachers or provide resources to teachers who have difficulty managing his/her classroom.
- 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.

Our school 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 our school. 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 school'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 a 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 school 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. School Monitoring:

- a. The school board and superintendent or supervisor shall monitor the implementation of this policy.
- b. This policy shall be accessible on the school website.
- c. The school 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 in 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 of 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 K-1 & 7-12 will stop at their perspective office for services. 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/trained office staff member. The parent/guardian/student must provide the medication in the original pill bottle/container 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 and take their provided emergency bucket.
- 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):

As partners with our parents and/or guardians, we will work to develop pathways of communication to best meet the needs of our learners. Listed below are some of the practices to avoid that cause parents/guardians and students the most concern.

- 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 (2nd 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 teacher 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 CRST Title I program provides school-wide 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.

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.

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.

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. **National Suicide & Crisis Lifeline text is 988.**
 - c. **Crisis Text Line text “Home” to 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.

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 need to be in their original container and 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.

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.

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.

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.

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.
-

11.53 Premium Pay.

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.

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.

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.
-

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.

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 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 appears 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.

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.

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.

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 give 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, i.e., 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
sparton@fise-aft.org
(505) 414-6891

Coverage Areas
SIPI, Haskell, OST Masthead, Nationwide

Jim Gertner
Secretary/Treasurer
jgertner@fise-aft.org
(505)414-6892

Coverage Areas
All Navajo Nation (Arizona, New Mexico, Utah),
Hopi, Havasupai

David Campbell
BIA Representative
dcampbell@fise-aft.org
(505) 321-2368

Coverage Areas
North Dakota, Nebraska, Wisconsin, Wyoming,
Minnesota, South Dakota (except Pine Ridge &
Flandreau), Montana (except Blackfeet)

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 cooperation with the Principal involved. Duties and responsibilities of instructional 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 PERSONNEL POLICIES/PROCEDURES

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