

DE SMET SCHOOL DISTRICT #38-2
BOARD OF EDUCATION
MINUTES

The School Board of the De Smet School District #38-2 of Kingsbury County, SD convened pursuant to due notice at 5:30 PM on December 20th, 2022 (postponed from Dec. 12th due to inclement weather) in the high school library. Those in attendance were Pres. Shane Roth, Vice-Pres. Barb Asleson, Jared Tolzin, Evan Buckmiller and Norm Koehlmoos. Administrators present were Supt. Abi Van Regenmorter, Princ/AD Dan Bettin and Bus. Mgr. Susan Purintun. Amy Halverson of *Kingsbury Journal* joined by conference call and DTO representative Emily Martian.

PUBLIC PARTICIPATION: None

AGENDA: On motion by J. Tolzin, seconded by N. Koehlmoos to approve the presented agenda with the additions to the consent agenda of item E. approval of the district's emergency plan and item F. approval of the amended negotiated agreement as per requirement of DOE accreditation review. All voting "aye", motion carried.

DELEGATIONS: None

CONFLICT OF INTEREST DISCLOSURE: None

PUBLIC COMMENT AND REVIEW OF SAFE RETURN PLAN: None

CONSENT AGENDA: On motion by B. Asleson, seconded by E. Buckmiller and unanimously carried to approve the consent agenda including the minutes from the regular meeting of Nov. 14th, 2022; financial report for the period of November 1st through November 30th, 2022, the bills for payment as presented (See attached listing.); approval of open enrollment of student A: approval of District emergency plan (on file in the business office); approval of amendment of negotiated agreement pertaining to evaluations as per State of SD Dept of Education Accreditation review and SDCL; GENERAL FUND: Revenue – Ad Valorem Tax 404,073.95, Pen&Int 200.42, Interest 254.79, Admissions 1224.31; Other local revenue 280.46, Co.Apport 1104.95, State Aid 112,981.00; Fed.Reimb Snack Prog 1420.90

Disbursements – 37,130.91, November Payroll 216,241.84

TOTAL GENERAL FUND CASH BALANCE – 1,511,122.61

CAPITAL OUTLAY FUND: Revenue – Ad Valorem Tax 304,112.88; Pen&Int 205.18;

Disbursements – 35,202.01

TOTAL CAPITAL OUTLAY FUND CASH BALANCE – 1,509,625.01

SPECIAL EDUCATION FUND: Revenue – Ad Valorem Tax 152,128.15, Pen&Int 102.58,

Disbursements – 11,220.23, November Payroll 45,211.42

TOTAL SPECIAL EDUCATION FUND CASH BALANCE - 368,789.97

BOND REDEMPTION FUND: Revenue – None

Disbursements – None

TOTAL BOND REDEMPTION FUND CASH BALANCE – 522,368.56

CAPITAL PROJECTS FUND: Revenue – Interest 4564.94

Disbursements: 4383.90

TOTAL CAPITAL PROJECTS FUND CASH BALANCE – 8,315,050.54

FOOD SERVICE FUND: Revenue – Sales to Students 10,660.19; Sales to Adults 36; Interest 53.47; Meals paid by District 1886.00; Other Sales 144.32; Federal Reimb 8645.32; FVR 1308.09

Disbursements – 16,777.97, November Payroll 12,288.94

TOTAL FOOD SERVICE FUND CASH BALANCE – 11,603.02

ENTERPRISE FUND: Revenue – none

Disbursements – none

TOTAL ENTERPRISE FUND CASH BALANCE – 4180.14

SCHOLARSHIP FUND: Revenue – none

Disbursement: None

TOTAL SCHOLARSHIP FUND CASH BALANCE – 47,148.14

TRUST AND AGENCY FUND: Revenue – 59,365.43

Disbursements – 78,305.73

TOTAL TRUST AND AGENCY FUND CASH BALANCE – 96,264.03

GENERAL FUND EXPENDITURES: Access Health Brookings, Trans Prof Serv 149; Adv Fund – J. Hojer, Reimb Software Subsc. 95, S. Botkin, Reimb Praxis Test 138.45, D. Vanderwal, Reimb Trav Shop 59.16, Arlington HS, Region OI Fees 254.40, E.Albrecht, JH VB Off 115, M. Dylla, JH VB LJ 30, C.Birkel, JH VB LJ/OFF 30, J. McCune, JH VB OFF 130, O. Johnson, VB Off/LJ 90, H.Luethmers VB Off/Clock 40, J.Burke VB Off/LJ/Clock 110, M.Beck VB Off/LJ 20, I.Schoenfelder VB LJ 20, B.Jennings VB LJ/OFF 30, E.Poppinga, VB LJ 75, A.Asleson, VB LJ 30, A.Currier, VB LJ 170, B.Coleman VB LJ 10, H.Anderson, VB LJ 10, C.Fields VB LJ 225, K.Burke, VB LJ 90, A.May, VB LJ 40, R. Fast, VB Off Book 225, K.Steffenson, VB LJ 360, W.Hoefert Ftbll Announcer 60, T.Holland, JH Ftbll/Spotter 47.50, J. Rigge, JV/V Ftbll Chains 95, J.Gruenhagen, JV/V Ftbll Chains 75, B.VanRegenmorter, JV/V Ftbll Chains 25, D.Osthus Ftbll Clock 25, D.McCune, Ftbll Clock, 25, J. Halverson Ftbll Clock 20, N.Henrich, Ftbll Clock 20, W.Linke, Ftbll Off 40, RJ Cleveland, Ftbll Chains 10, N.Luethmers, Ftbll Chains 20, A.Botkin, Ftbll Chains 10, B.Halverson, Ftbll Chains 10, B.Jennings, Ftbll Chains 10, E.Wilkinson, Ftbll Off 25, M.Luethmers, Ftbll Off 85, R Cleveland, Ftbll Clock 20, L. Somsen, Ftbll Chains 50, B.Stoel, Ftbll Clock/Spotter 32.50, P.Wheeler, Ftbll Spotter 50, M.Donelan, Reimb Bckgr Check 53.25, AB&T, State OI Travel 120, Tri-Valley, credit error .75, D. Bettin, Princ. Travel 219.84, D. Vanregenmorter, Reimb Cust Supp/travel 178.99, De Smet Drama Club, Dist OI Fees 289.10, L.Bettin, Reimb Bckgrd Check 53.25, SDAAE, Reg Fee 65, KG Journal, Lib Subscription 65, TOTAL ADV FD 4197.19; Avid Hawk, Tech Support 90, Butler Machinery Co, Boiler Repairs 556.20; Century Business Prod, Copier Maint 1124.57; City of De Smet, Bus Gar Utilities 42.59, Bldgs Utilities 581.84 Total 624.43; Culligan, Utilties 38; De Smet Food Serv, Reimb FVRS 1095.10, Reimb Adult Meals 1840 Total 2935.10; Dust-Tex, Services 549.21; Eldridge Publishing 1-Act Play Supp 131.30, Royalties 90 Total 221.30; Fusion, Communications 596.17; G&R Controls, Serv/Thermostats 156.12; Hillyard, Annual Gym Floor Maint 3695.50; Huron Daily Plainsman Subscrip 94.97; JD Enterprises, Cust Supp 120; Jostens, Annual Deposit 1400; Kingsbury Elec, Transp Comm 59.41; Kingsbury Journal, Journalism pages 400, Bd Communications 330.06 Total 730.06; Lightspeed Tech, Tech Supplies 35; Maynards, Cons Sc Supp 28.55; NAPA Auto Parts, Trans Supp 87.04, NESC, Gen Serv 35.01, Northern State University, Reg Fee 80, NW Public Service, Bus Gar Utilities 102.72, Bldg Utilities 3565 Total 3667.72; Office Peeps, Copier Supp 657.60; Otter Tail Power, Bus Gar Utilities 70.91, Ath Fd Utilities 145.73, Bldg Utilities 5459.27 Total 5675.91; Remind101, Communications 614.92; Rich's Gas 'n Service, Trans Fuel 312.38; Safeguard Systems, Bus Off Supp 289.27; Scale Center Inc., Scale Repairs 60; School Admin of SD, Reg Fee 44; School Specialty Office Supp 36.18; SD Magazine, Library Periodicals 25.00; Smith's Lumber, MS Projects 244.86; Trustworthy Hardware, Trans Supp 18.90, Cust Supp 126.01, Vo-Ag Comp Supp 59.58 Total 204.49; United Laboratories, Cust Supp 187.08; Valley Fibercom, Ath Fd Fee 66.98; WW Tire Serv, Transp Supp 150; Zimco supp, Turf Management 199.92; **TOTAL GENERAL FUND EXPENDITURES: 30,215.44**

CAPITAL OUTLAY FUND EXPENDITURES: Adv. Fd – R.Garry, MS Texts 85, C.Tangen, Library Resource Books 259.06 Total Adv Fd 344.06; City of De Smet, Event Center Rent 2nd Half 6375; Hauff Mid-America Sports, GBB Pract Jerseys 697.80; Imagine Learning-Edgenuity, Credit Recovery/Odysseyware 4620.75;

Innovative Office Solutions, Tables 5800, Acad Print 253.50 Total 6053.50; NAPA Auto Parts, PERKINS Funds Compressor 2435; Ultra/Conn Point, Tech LCD Comm. Display 1879.99; **TOTAL CAPITAL OUTLAY FUND EXPENDITURES: 22,406.10**

SPECIAL EDUCATION FUND EXPENDITURES: Adv.Fd - R.Gigov, SPED Curriculum 213.50; Fusion, Communications 100.80; McCrossan Boys Ranch, Services 125; Mitchell School Dist, Tuition 1800.00; NESc – Early Childhood 568.17, Psychology 999.66, Speech Path 1627.36, Physical Therapy 422.05, Occupational Therapy 739.03, Tuition CB 5262.37, Summer Services 11,098.28, Summer Speech 1087.70 Total NESc 21,804.62; USD Center for Disabilities, Reg Fee 160; **TOTAL SPECIAL EDUCATION FUND EXPENDITURES: 24,203.92**

BOND REDEMPTION FUND EXPENDITURES: First Bank and Trust, Origination Fees 1000 **TOTAL BOND REDEMPTION FUND EXPENDITURES 1000**

CAPITAL PROJECTS FUND EXPENDITURES: City of De Smet, Special Meeting Fee/Advertisements and Publications 859.32; Co-op Architecture, Prof Services 4383.90; Johnson Sand and Gravel, Site Prep and Demo of Property 11,500.50; SDN Communications, Const Service 3000; Soil Technologies Inc, Prof Services 10793.75; WS Construction Management, Pay Req #1 124,770.65; Pay Req #2 356,448.37 Total WS Construction Management 481,219.02 **TOTAL CAPITAL PROJECTS FUND EXPENDITURES 511,756.49**

FOOD SERVICE EXPENDITURES: Cash-Wa of Fargo, Supplies 170.68, Food 5276.83 Total 5447.51; Child and Adult Nutrition, Food 180.98; East Side Jersey Dairy, Food 1000.20; Maynards Food Center, Food 366.91; Performance Food Service, Supplies 195.22, Food 7424.52 Total 7619.74; Prairie Blush Orchards, Food 147.60; R.Vaughan, Reimb Sales to Students 47.40; **TOTAL FOOD SERVICE EXPENDITURES 14,810.34**

SCHOLARSHIP FUND: Community Scholarship Awards Class of 2022 – 10,434; Bowes Memorial Scholarship 2000; Arlene Harris Scholarship 1000; David Wilson Scholarship 2000 **TOTAL SCHOLARSHIP FUND EXPENDITURES 15,434**

All voting “aye”, motion carried.

REPORTS:

NESC: NESc rep Barb Asleson reviewed the November regular meeting noting that staff evaluations are being fulfilled and other general business was conducted. Board member Evan Buckmiller attended the December meeting in Ms. Asleson’s absence. Topics of interest were tracking legislation that will affect SPED students, the voucher and charter school push. The offices will be closed over the holidays due to staffing shortages. Pres. Roth noted that ASBSD has a standing opposition to the vouchers as the public tax dollars will follow students to private schools and further diminish public school funding. It is especially an issue for the large schools that have private schools in their districts. A private school is able to select who may or may not attend their schools and what types of services they offer, whilst public schools serve all students and meet all needs required to provide an education.

EDUCATION ENHANCEMENT FOUNDATION: None

LEGISLATIVE REPORT: Pres. Roth noted that Governor Noem has included in her proposed budget to give state aid to education a 5% increase, which is under the rate of inflation. It was also recently announced that Dr. Wade Pogney, who has led the Associated School Boards of South Dakota for several years, is retiring. He will still be working with educators through Tom Oester’s firm. Pres. Roth noted that Dr. Pogney has done an excellent job for ASBSD and his leadership will be missed. They have started

the hiring process. The board also noted Secretary of Education Tiffany Sanderson's departure to Lake Area Technical College. To date, ASBSD board members have not heard of anything big for legislation but there has been much discussion as to the Social Studies Standards committee process, which is ongoing and not finalized.

BUILDINGS AND FACILITIES REPORT: Supt. Abi reported that WS Construction expects to finish the cement work and back fill on the addition within the next few weeks. Weather has caused delays due to low temperatures. Steel is to be delivered in January. Effraimson Electric will be working on electrical for the HVAC system over Christmas break.

PRINCIPALS' and AD REPORTS: Princ. Bettin reported that the Mini-Maker Camp held on Nov. 15th, was a great success! Students from De Smet, Iroquois, Lake Preston and Arlington attended 6 different sessions on CTE opportunities as careers. Lake Area Technical College students gave demonstrations and then students had the opportunity to participate in the activity. Each participant received a drone and one student's name was drawn for a larger one.

The De Smet Oral Interp Team participated in their regional meet on Nov. 15th in De Smet. Individuals advancing to State were Willem Lim in Poetry, Matt Rusche and Willem in Duet and Matt, Willem, Sam Gigov and Payton Botkin in Reader's Theatre. The state meet was held on Dec. 2nd and 3rd in Mitchell. The Reader's Theatre team earned a "Superior with Distinction" award. Willem and Matt earned a Superior award for their duet and Willem earned a superior award for his Poetry. The De Smet team earned an excellence award. Congratulations and accolades were given to the performers and coach Lacey Holt.

The All School Play, "The Orphan Train" was held on Nov. 18 and 19th at the Event Center. It was a fun and very entertaining play and the students did a great job. The students were directed by Traci Schoenfelder.

Principal Bettin commended the Student Council for being inventive and sponsoring new events to the student body. He feels they are showing and building leadership skills with the events and activities they are planning. Most times they only need guidance and take on the responsibilities and planning very well. They hosted Turkey Bingo for students and staff as a pre-Thanksgiving holiday activity, which was enjoyed by all participants. The Council also conducted a food drive competition between grades to support the Food Pantry. Tuesday, the 20th, was the final day and students had filled two rooms with donations! The winning class will earn a trip to Skyzone or Air Madness in the spring. The Food Pantry identified areas of high, medium and low need items with those items being assigned a point value. The winning class will be announced on the 21st after points are totaled.

The re-keying of the MS/HS Building, Armory/Gym and Commons was mostly completed over the Thanksgiving break. There are still a few doors and rooms that have been put on hold waiting for orders to arrive. All the community fobs have been turned off. The re-keying opened the opportunity to have keys and electronic fobs assigned with accountability contracts. Those needing to have their fobs re-instated should contact Princ. Bettin.

The board heard that counselor Kyler Julius held a financial aid night for junior and senior parents on Nov. 28th. The ASVAB test was conducted on Dec 6 with only 2 students completing the test. Princ. Bettin will work with Mr. Julius to have a higher participation rate as while it is a test taken to consider enlisting in the military, it is also an excellent skills test. Mr. Julius has also formed a Fellowship of Christian Athletes that meets weekly. There are approximately 20 students that are attending regularly. The middle school/high school winter music concert was held on Dec. 6th. The students performed to a packed house.

Fall sports awards have been announced. In football, Damon Wilkinson, Dylan Zell, Noah Harrison and Kadyn Fast were named to the All-DVC team. Trace Van Regenmorter was named Honorable Mention. Damon, Dylan, Kaydn and Noah were also named to the 9B All-State team. In volleyball, Jada Burke was

named to the All-DVC team with Hazel Luethmers named as Honorable Mention. Jada and Cori Birkel were named to the All-LCC team.

Winter sports are well under way with the following numbers participating: Girls basketball – 13 players; Boys basketball – 21 players; JH Girls basketball - 15 players and JH Boys basketball – 10 players. JH girls will play 2 games each night, while JH boys will play one full game and then play an extra ½ each game. Wrestling has 26 total participants with 17 from De Smet.

At this time, the re-scheduling of basketball games from last week's snow event has turned two regular games into double headers. January 2nd will be a doubleheader with Deuel and January 3rd will also be a doubleheader with Willow Lake/Clark. Welsey-Wessington is tentatively rescheduled for Feb 2nd if officials can be hired. The Estelline game will be held on January 20th.

Board member Jared Tolzin asked as to the policy of snow days and athletic practices as he had been approached by concerned parents of those students who live in the country. The school has allowed open gyms and participation is non-mandatory and parents/students should use their judgement as to the safety of their students traveling in as it can vary greatly from different areas of the District. Mr. Bettin noted that it is a philosophical issue and understands concerns and will abide by what the board decides. Pres. Roth noted that this topic has been brought before the board numerous times and feels that the current unwritten rule of allowing parents to make the decision for their athlete unless overridden by administration.

While movies were planned for the last day before the Christmas break, after missing 4 days of school the previous week, Weds will be a shortened but regular class schedule day. A Valentine's Day event may be planned to depend if there are further snow days, etc.

Supt. Abi praised Princ. Bettin on the re-keying project and the time and effort of recording and assigning all keys and contracts. It is an excellent project to have mostly completed.

The cheerleaders and cheer coaches were recognized for providing a cheer camp for elementary students. They had large participation numbers and gave a fun and entertaining performance at the boys basketball game on Monday evening. It also provided an excellent opportunity to teach team spirit and sportsmanship to the younger students.

The Class of 1970 will be unveiling a "Surprise" for the school and community at a home event during the winter sports. It is hoped it will happen during the month of January. Supt. Abi noted gratitude of the Classmates for their very ambitious and generous donation.

The board heard that the final review for the State Accreditation process was held last Thursday through a zoom meeting. There were very few minor corrections. Supt. Abi was very grateful to the staff for all of their work and efforts in completing the necessary paperwork and going through a very rigorous process.

It was also noted that there have been students who have benefited from donations from community members for school lunch accounts. Supt. Abi wanted it noted that De Smet is a community that is supportive and made up of very kind and generous individuals who care about the needs of students and parents.

As of December 20th, there are four snow days that will need to be made up. The make-up days are scheduled for January 16th, April 10th (possible e-learning), May 22nd and 23rd. Principal Bettin and Supt. Abi are discussing with staff as to e-learning days to be planned for future snow days if winter continues to be a nasty one. The board will learn more as to decisions at the January meeting. In order to be considered a day of learning, all students have to be in contact with their teachers, including those with special needs. A teacher must be in contact with students for their official attendance. Princ. Bettin noted the difference between e-learning and remote learning that took place during the pandemic absences. The remote learning is more in-depth. Supt. Abi realizes that there needs to be flexibility for students who must help during winter storms on farms and businesses clearing snow and caring for livestock. Communication is a large part of the e-learning process.

Pres. Roth addressed DTO representative Emily Martian and asked if she would take to the teachers a request for a “teacher report” as a monthly item on the agenda? He feels it would be a positive opportunity for staff to share classroom activities with the board and community. Mrs. Martian will take it to the DTO to see if they would agree to participate in the monthly reports.

FISCAL YEAR 2021 AUDIT REPORT: Business manager Susan Purinton reported on the recent annual audit of FY22. The audit was completed by Schoenfish and Co of Parkston, SD. The District is in good financial standing and received an unqualified report. It was noted that there will be a comment in regards to internal control and lack of segregation of duties, which is fairly common among District’s the size of De Smet with a limited number of staff members. The auditor’s report is waiting final approval by the Department of Legislative Audit. Following approval, a notice will be mailed and published in the local paper. Audit booklets and PDF forms of the audit will be available to the public when received by the auditing firm along with being posted on the district website.

MOTION TO APPROVE 2022-2025 DE SMET SCHOOL DISTRICT IMPROVEMENT PLAN: On motion by J. Tolzin, seconded by N. Koehlmoos to approve the district’s improvement plan. Supt. Abi reported that the proposed plan went through with flying colors and noted that while testing scores and attendance are still a bit below pre-COVID, they are still above the state average. She was very appreciative of the student and staff surveys that were completed. The developed plan is in good standing for 3 years. Staff will review goals at the beginning of each school year and revise as is needed. All voting “aye” for approval of the plan. Motion carried.

MOTION TO APPROVE PURCHASE OF PROPERTY: On motion by E. Buckmiller, seconded by B. Asleson to approve the purchase of property at 506 4th Street, SW, De Smet SD. The property will be used for staging during the construction process with plans to develop it as a green space or parking following completion of the LIW Elementary facility. All voting “aye”, motion carried.

MOTION TO APPROVE POLICIES: On motion by B. Asleson, seconded by N. Koehlmoos to adopt and approve the following proposed policies from ASBSD:

JEA: Compulsory Attendance Ages

Under South Dakota law, a child who is at least six (6) years old by September 1st, but who has not exceeded the age of eighteen (18) must regularly attend a public or non-public school or receive alternative instruction as set forth in state law, unless excused. It is the responsibility of every person having under their control a child between those ages to see to the child's attendance at school, either public, nonpublic, or alternative instruction, until the child has reached the age of eighteen (18), unless excused. All children shall attend kindergarten prior to age seven. Any child who transfers from another state may proceed in a continuous educational program without interruption if the child has not previously attended kindergarten. Any person who does not see to the school attendance or alternate instruction of a child in their care may be guilty of a misdemeanor and if convicted, may be subject to a fine as established by law.

No student will be denied the right of attending school without due process of law.

JFCL: Student Registered Sex Offenders

The District is committed to the safety of students, employees and other persons on school property. In order to effect this commitment, the following policy provisions are adopted:

STUDENT (REGISTERED) SEX OFFENDERS ON SCHOOL PROPERTY

If a student enrolled in the District is registered as a sex offender under SDCL Chapter 22-24B, the Superintendent or designee will arrange an intake meeting for the student to include, as deemed necessary by the Superintendent or designee, the student, the student's parent(s) or guardian(s), parole or court services officer, school resource officer, District administrators and guidance counselors, to

determine the student's background, conditions of parole, the safety risk posed by the student, and any other relevant factors affecting the student and the safety of other District students.

The Superintendent or designee may establish restrictions for the student registered sex offender, which may include, without limitation, the following:

No attendance at a building where there are daycare centers or younger students, and/or which are located near a private daycare, and/or buildings attended by the offender's adjudicated victim or a victim's sibling, and/or any other location that would violate the offender's parole conditions; and/or A behavior contract with school officials, which includes a prohibition on leaving campus during the school day; and/or

Periodic meetings with the school resource officer; and/or

Attendance in an alternative educational program.

If a student subject to this policy is one who is eligible for special education and related services, educational services will be provided in accordance with federal and state law. Under no circumstances is any student registered sex offender permitted to loiter on District property in violation of SDCL 22-24B-22(2) and 24.

If the student registered sex offender violates any of the restrictions or conditions established by the District under this policy, or otherwise poses a risk to any student in the opinion of the Superintendent or designee, the Superintendent or designee may take immediate action to address the situation including disciplinary action against the student registered sex offender as authorized by law, and if necessary for the safety of other students or District employees, requesting assistance from local law enforcement authorities if the student resists District directives.

JFG: Student Searches

The District has the responsibility to provide students and staff with a safe and secure learning environment. The District recognizes that there are circumstances that will justify the search of students and their possessions. This policy is designed to balance each student's right to privacy and the need to maintain an appropriate learning environment. School administrators are authorized to make searches of students, students' personal property and vehicles and District owned/provided property under the conditions outlined below. This policy is applicable to students and/or their property while on school district property; traveling in a vehicle controlled by the District; or present at or engaged in a school-sponsored or school-directed activity immediately before, after or during the school day.

SEARCHES BY STAFF

Searches of District Property

"District owned/provided property" includes, but is not limited to buildings, parking lots, lockers, desks, instruments, electronic devices, storage containers, storage areas, computer systems and equipment, voice-mail, and vehicles. This property is intended for use for educational purposes and District business only.

Students do not have an expectation of privacy in district owned/provided property. Lockers, desks, technology and other district owned/provided property are temporarily assigned to individual students, but remain the property of the District. The District retains exclusive control over this school property, and student should not expect privacy or confidentiality when using district owned/provided property or regarding items placed in or on district owned/provided property.

The following rules apply to the search of district owned/provided property assigned to a specific student (locker, desk, etc.), and the seizure of items in his/her possession:

Maintenance Searches: General housekeeping and maintenance inspections of district owned/provided property may be conducted by school staff if instructed by the principal at any time without notice, without the student's consent and without a search warrant. Any contraband discovered during such searches will be confiscated by the administration and school discipline may apply to any items or information found.

Non-Maintenance Searches: District owned/provided property and its contents may be searched by a school administrator when reasonable suspicion exists that illegal, unauthorized, or contraband items are contained in the district owned/provided property (such as a locker, desk, or other storage space). Whenever possible the student should be aware of and be involved in a search of such property.

Emergency situations may necessitate a search with or without the student's knowledge or consent. Searches should be conducted in the presence of another adult witness.

Administration will consider the intrusiveness of the search in light of the age, gender, and the nature of the alleged violation. The scope of any search will be limited to only what is necessary due to the policy/rule violation under investigation. If the search discovers items not related to the policy-rule violation under investigation, but items are found that are in violation of the law or another school policy/rule, the student may be subject to additional discipline for that additional violation.

Illegal items (drugs, weapons, etc.) or other possessions reasonably determined to be a threat to the safety or security of others may be confiscated by school authorities at any time.

Student and Student Property Searches

Searches of students and/or their personal property, including but not limited to backpacks, book bags, athletic bags, instrument cases and purses, may be conducted by school administrators when there is a reasonable suspicion of the presence of any item(s) that is in violation of law, District policies, or other rules applicable to students, or if the administrator has reasonable suspicion that any item(s) contain materials that otherwise pose a threat to the health, welfare or safety of the student or the school community. Administrators performing a search may require students to empty pockets or remove jackets, coats, socks, shoes, and other articles of exterior clothing that when removed do not expose undergarments not otherwise observable. Such a search will be conducted in private. Two school employees, one of whom is an administrator, must be present during the search. The employee who conducts the search must be the same gender as the student. A more intrusive search of the student is permissible in emergency situations when there is reason to believe that the student possesses a weapon, explosive or substance that poses an imminent threat of physical harm to the student or others. Such a search may only be conducted in private by a school administrator of the same gender, with an adult of the same gender present, unless the immediate health or safety of students will be endangered by the delay caused by following these procedures.

District staff member may take possession of a student's personal cell phone or other personal electronic device brought onto District property when the student is observed using the device in a manner contrary to school rules. The electronic device will be delivered to building administration. An administrator may take possession and conduct a search of a student's device brought onto District property if during the course of an investigation of a student discipline violation, the administration has reasonable suspicion that the electronic device may produce evidence related to the discipline violation or there is reasonable suspicion of a safety threat to the student or the school community. If the student is arrested, the electronic device shall be turned over to law enforcement. District administrators may contact law enforcement for assistance in performing a search in any case in which a student refuses to allow a search of his/her self or property or in which the search cannot be conducted safely. The building principal may refer the matter to law enforcement if the suspected violation involves an illegal activity. Student property may also be searched as a condition of admittance to or participation in any school sponsored public event such as athletic contests, graduation ceremonies or other school programs.

Vehicle Searches

Students are permitted to park on school premises as a matter of privilege, not a right. The school retains authority to conduct routine patrols of the student parking lots and inspections of the exterior of vehicles and interior items within plain view. The interior of a student's vehicle on the school premises may be searched by a school administrator if the administration has reasonable suspicion to believe that illegal, unauthorized or contraband items are contained inside. Whenever possible the student should be aware of and given the opportunity to be present during a search of the vehicle. Emergency

situations may necessitate a search with or without the student's knowledge or consent. Such searches will always involve two adults when possible.

SEARCHES OF STUDENT PROPERTY BY LAW ENFORCEMENT

Any search and/or seizure by law enforcement officials will occur only when law enforcement officials properly advise school personnel that they have lawful authority to conduct the search and/or seizure. Detection devices, such as metal detectors and drug or weapon sniffing dogs, may be utilized at school or at any school function, including activities which occur outside normal school hours or off the school campus.

INFORMING STUDENTS AND PARENTS

If a personal search or search of a student's property has been conducted, District administrators will notify the parent/guardian by the end of the day. If circumstances do not allow for verbal notification on the same day, a letter will be sent. The District shall inform students and parents or guardians of this policy regarding searches and provide written copies on request.

JFGA: Law Enforcement and Department of Social Services Student Interviews

When students are at school or involved in a school activity off school ground, the school has an obligation to the students and their parents, and also an obligation to authorities such as law enforcement and the Department of Social Services. This policy balances the rights of students and parents with the rights and responsibilities of law enforcement and the Department of Social Services as those entities investigate juvenile delinquency/criminal matters and matters related to suspected child abuse and neglect. For all action permitted by this policy and/or law, it is the responsibility of law enforcement officers to assure compliance with procedural and constitutional safeguards.

For purposes of this policy:

"Interview" means a discussion between a law enforcement officer and a student regarding the student's or another person's actions, statements, or behavior that threaten or could threaten the life, safety, or well-being of a student or regarding anyone's possession of illegal or unauthorized material, assuming that the student is not officially under arrest or in the custody of the law enforcement officer.

"Parent/guardian" means the biological or adoptive mother or father, guardian, responsible relative, or any other person who has claimed legal or actual charge or control of the student pursuant to South Dakota law. "Law Enforcement Officer" means any employee of a law enforcement agency.

"School Resource Officer" means a law enforcement officer who is an employee of the police department or sheriff's department but is assigned to the school district to assist in assuring the safety and welfare of the students. Requests from law enforcement officers and persons other than parents, school district officials, and personnel to interview students shall be made through the superintendent or building principal's office. To minimize disruptions to the school environment and embarrassment to students involved, all interviews by law enforcement should be held in private unless the urgent nature of the situation prevents compliance with this requirement. The building principal should be present during all interviews when the parent/guardian cannot be present, unless compelling reasons for exclusion are provided by the law enforcement officer.

It is therefore the policy of the District that:

Interview of Alleged Perpetrator-School Related Event: Law enforcement officers will be allowed to contact and interview students at school as provided in this section regarding alleged or suspected school related criminal activity or which involves a situation affecting school safety. Should a law enforcement officer wish to interview a student who is an alleged perpetrator of a crime under the age of 18* while the student is at school or at a school activity, the officer will notify the building principal before interviewing the student. The building principal will notify the student's parent/guardian to receive permission for the student to be interviewed by the law enforcement officer and to provide the opportunity for the parent/guardian or other adult of the parent/guardian's choosing to be present during the interview by a law enforcement officer. If the principal has made a reasonable effort to notify the parent/guardian but is unable to contact the parent/guardian, the principal should document that

attempts were made to do so and the student may be interviewed only if the law enforcement officer identifies emergency circumstances requiring immediate questioning or orders/requires the student to be presented to law enforcement. The parent/guardian will be notified by the principal as soon as possible after the interview. However, should the law enforcement officer order school personnel to present the student so that the officer may interview the student, such as pursuant to a warrant or court order, after documenting the law officer's order to present the student, the school personnel shall comply with the officer's order and the building principal shall then immediately contact the student's parent. It is the responsibility of the law enforcement officer to advise an alleged perpetrator of his or her rights against self-incrimination.

Student Victim or Witness: Should law enforcement desire to interview a student regarding a school-related event who is a victim of a crime other than suspected child abuse or neglect, or who is a witness of a crime, the building principal should attempt to contact the student's parent/guardian before the discussion if possible so that the parent/guardian may be notified of the situation, unless (1) the urgent nature of the situation or other exigent circumstances exist which demand that the interview be conducted immediately or (2) law enforcement believes that interviewing the student without parental notification may prevent imminent physical harm to that student or other students within the immediate school setting. If the parent/guardian is not contacted prior to the interview, school personnel will notify the parent/guardian prior to the end of the school day during which the discussion took place. If circumstances do not allow for verbal notification on the same day, a letter will be sent. If, during the interview, the student becomes suspected of a crime, the procedures as outlined in Section 1 herein will be followed.

Event Unrelated to School: Should the interview pertain to an incident that is not related to school or the abuse or neglect of a child, law enforcement officers should avoid interviewing the student at school. However, there may be instances when law enforcement may determine such an interview is necessary and the only available option. If so, prior to granting a request, the principal will verify that the law enforcement officer has obtained parental consent or has a warrant or court order.

School Resource Officer Conversations: The School Resource Officer ("SRO") shall have ongoing access to students on an informal basis, and students may seek out a School Resource Officer, and this policy shall not be construed so as to interfere with this access. These conversations do not constitute interviews for which permission from the school principal or a parent/guardian must be obtained. However, any such conversation which discloses behavior or actions, or potential behavior or potential actions, which are or could be detrimental to student safety and welfare or with regard to illegal or unauthorized materials present on school district property, will be reported to the principal. If the conversation reveals information of an emergency nature, other law enforcement authorities may be notified by the SRO or building principal. If the School Resource Officer plans to interview an alleged perpetrator, the procedures as outlined in Section 1 herein will be followed.

Abuse or Neglect: Should the Department of Social Services (DSS), Division of Child Protection Services (CPS), or a law enforcement officer be investigating suspected child abuse or neglect and wish to talk with a student under the age of 18* while the student is at school, the request to talk with a student shall be documented by the building principal, including the name of the person making the request, date of request, date of interview, and that the request is made for the reason of investigating suspected child abuse or neglect. The law in South Dakota requires investigation of suspected child abuse to be kept confidential and can be done without notification to parents. Therefore, the school will not notify parents of a request by the Department of Social Services/Division of Child Protection Services or law enforcement to talk with a student in such instances.

* Upon the student reaching the age of 18, the student is a legal adult and has the authority to make the decision whether or not to talk with the law enforcement officer or DSS/CPS and without parental involvement. However, the student shall be afforded the opportunity to contact his/her parents for advice before responding to a request by the authorities to be interviewed by law enforcement and/or talk to the Department of Social Services/Division of Child Protection Services. The student shall also be

provided the opportunity to select an adult of their choice to be present during an interview by law enforcement.

JHG: Reporting Child Abuse

The term, abused or neglected child, means a child:

Whose parent, guardian, or custodian has abandoned the child or has subjected the child to mistreatment or abuse; Who lacks proper parental care through the actions or omissions of the child's parent, guardian, or custodian; Whose environment is injurious to the child's welfare; Whose parent, guardian, or custodian fails or refuses to provide proper or necessary subsistence, supervision, education, medical care, or any other care necessary for the child's health, guidance, or well-being; Who is homeless, without proper care, or not domiciled with the child's parent, guardian, or custodian through no fault of the child's parent, guardian, or custodian; Who is threatened with substantial harm; Who has sustained emotional harm or mental injury as indicated by an injury to the child's intellectual or psychological capacity evidenced by an observable and substantial impairment in the child's ability to function within the child's normal range of performance and behavior, with due regard to the child's culture; Who is subject to sexual abuse, sexual molestation, sexual exploitation, or human trafficking by the child's parent, guardian, custodian, or any other person responsible for the child's care; Who was subject to prenatal exposure to abusive use of alcohol, marijuana, or any controlled drug or substance not lawfully prescribed by a practitioner; or Whose parent, guardian, or custodian knowingly exposes the child to an environment that is being used for the manufacture, use, or distribution of methamphetamines or any other unlawfully manufactured controlled drug or substance.

Any teacher or other school employee, who suspects that a child under 18 years of age has been neglected or abused by a parent or other person, will report orally or in writing this information to the building Principal or Superintendent. The Principal or Superintendent shall immediately report this information to the state's attorney, the department of social services, or to local law enforcement. The teacher or other school employee who witnessed the disclosure or evidence of the abuse or neglect must be available to answer questions when the initial report is made. If the Principal or Superintendent does not confirm to the teacher or other employee within 24 hours that the report has been submitted, the employee will report the information directly to the state's attorney, the department of social services, or to local law enforcement. The report will contain the following information: name, address, and age of child; name and address of parent or caretaker; nature and extent of injuries or description of neglect; and any other information that might help establish the cause of injuries or condition.

School employees, including administrators, will not contact the child's family or any other persons to determine the cause of the suspected abuse or neglect. It is not the responsibility of the school employees to prove that the child has been abused or neglected, or to determine whether the child is in need of protection, but only to report suspicions of abuse or neglect. Anyone who participates in making a report in accordance with the law and in good faith is immune from any civil or criminal liability that may otherwise arise from the reporting, or from any resulting judicial proceeding, even if the suspicion is proved to be unfounded. Information or records concerning reports of suspected abuse or neglect are confidential. The release to persons other than those provided by law is a class one misdemeanor. Failure to make a report of abuse or neglect is a class one misdemeanor.

Copies of this policy will be distributed by the Superintendent to all school employees at the beginning of each school term, and to new employees when they begin employment if at a different time than the beginning of the school term.

IGDA: Student Organizations

Limited Open Forum-Equal Access

The School Board regards student clubs and organizations as an important part of the education and development of students. The Equal Access Act ("EAA") ensures that noncurricular student groups are afforded the same access to public secondary school facilities as other, similarly situated student groups. No student club shall be denied equal access and a fair opportunity to organize and to meet on school

premises during designated non-instructional time on the basis of the religious, political, philosophical, or other content of speech at the meetings of such clubs. As used in this policy:

"Sponsored Club" shall mean a club which is curriculum related and directly under the sponsorship, direction, and control of the school. These clubs serve as an extension of the regular school curriculum and their activities bear a clear relationship to the regular curriculum.

"Non-sponsored Club" shall mean any other student-initiated club which is not under the sponsorship, direction, or control of the school, except as provided in this policy. The fact that such clubs are permitted to conduct meetings under this policy shall not constitute an expression of District support for the purposes of such clubs or the content of any meetings thereof.

Sponsored clubs shall be directed by a member of the faculty or administration of the school and be curriculum related. The District shall not sponsor clubs which advocate particular religious or political beliefs or beliefs which tend to create adversarial situations among students in the school or beliefs which are subversive.

Non-sponsored clubs shall have an approved monitor. The assignment of a monitor to a meeting for supervision purposes does not constitute sponsorship of the meeting. The District shall not be identified or associated with the goals, objectives, activities, beliefs, or opinions of any non-sponsored club or its members.

Non-sponsored meetings pursuant to this Policy: Shall be voluntary and student initiated; Shall not be sponsored by the District or its agents or employees; Will have employees or agents of the District present at such meetings only in a non-participatory capacity; Shall not materially and substantially interfere with the orderly conduct of educational activities within the school building; and Will not be directed or controlled by non-school persons.

Nothing in this Policy shall be construed to authorize the District:

To influence the form or content of any prayer or other religious activity;

To require any person to participate in prayer or other religious activities;

To expend public funds beyond the incidental cost of providing the space for student-initiated meetings;

To compel any school agent or employee to attend a non-sponsored meeting if the content of the speech at the meeting is contrary to the beliefs of the agent or employee; To sanction meetings that are otherwise unlawful; To limit the rights of groups of students which are not of a specifying numerical size; or To abridge the constitutional rights of any person. Nothing in this Policy shall be construed to limit the authority of the District, its agents or employees, to maintain order and discipline on school premises, to protect the well-being of students and faculty, and to assure that attendance of students at meetings is voluntary. Meetings shall not be held in student common public areas such as halls or lunchrooms.

Rooms to be used and times for meetings pursuant to this Policy shall be designated by the Building Principal on a first-come-first-serve basis. Students attending meetings in District facilities pursuant to this Policy are responsible for any damage to District property occurring during such meeting. Except as provided in this Policy and Policy KG (Facility Use), non-curriculum related student groups may not use District facilities.

IGDA-R(1): Student Organizations Regulation

Forming Clubs

All clubs should provide the building principal or designee with the following information prior to the start of student participation: name; specific purpose of the club; intended outcomes for students; membership requirements; activities of the club; information about budget and fundraising activities anticipated; proposed meeting dates and times; and assurance that the club will adhere to school policies and student conduct rules and to the laws of the United States and the State of South Dakota.

The principal or designee will respond in writing to the request within ten (10) school days of receipt of the request, accepting or rejecting the application and designating the club as either a sponsored club or a non-sponsored club. Students may appeal the denial of club recognition or classification as sponsored or non-sponsored to the Superintendent within ten (10) school days of notification by the principal or

designee or to the School Board within ten (10) school days of notification by the Superintendent or his/her designee.

Meetings/Notices All clubs may publish their meeting notices in the school's established written or verbal daily announcements. The content and placement of posters of notice of student initiated meetings or club activities must be approved by the principal or designee prior to being posted. Materials to be distributed must be submitted for approval to the building principal prior to the intended date of distribution. Student initiated meetings will be allowed to take place on school premises during non-instructional time, and shall be scheduled with a building principal a minimum of five (5) school days prior to the meeting date. The time and place of all club meetings shall be subject to available space, whether the scheduling conflicts with school activities and programs, and the availability of the faculty sponsor or the monitor assigned to the club.

The principal or designee may not deny access based upon viewpoint discrimination.

A club's failure to comply with any of the following provisions shall be grounds for revocation of the right of the club to meet on school premises: Promulgates any theory or doctrine subversive to the laws of the United States or any political subdivision thereof advocating governmental change by violence; Engages in or promotes violence, hate, or illegal acts, or activities injurious to the buildings, grounds or equipment; Engages in activities which are discriminatory in the legal sense; Refuses or fails to comply with school policies; and/or Materially and substantially interferes with the orderly conduct of educational activities within the school; Engages in activities or conducts meetings which are or will be in violation of any law or ordinance.

For non-sponsored clubs, the following guidelines will apply:

The formation of non-sponsored clubs will be student initiated.

The principal or designee may appoint a monitor for the club who is an employee of the District. The monitor who serves in a non-participatory capacity will be responsible for monitoring the meetings to assure that attendance at the meetings is voluntary, to assure that the meetings do not materially and substantially interfere with the orderly conduct of educational activities within the school, and to assure that order and discipline are maintained. The principal or designee will not compel any District employee to be a monitor for a non-sponsored club. Non-school persons may not direct, conduct, control, or regularly attend meetings and activities of any non-sponsored club unless specifically directed by the building principal. Non-school persons may be permitted to meet with or speak to a club on school premises, up to twice a semester, subject to prior approval by the principal or designee.

The District shall not be identified or associated with goals, objectives, activities, or opinions of any non-sponsored club or its members. All posters for activities of non-sponsored clubs must contain the following disclaimer:

The _____ School District neither endorses nor sponsors this student initiated club. This student initiated club is permitted access to District facilities, benefits and services pursuant to law including the Equal Access Act and the Boy Scouts of America Equal Access Act and in accordance with School Board Policy IGDA (Student Organizations).

All voting "aye", motion carried.

EXECUTIVE SESSION: At this time, on motion by N. Koehlmoos, seconded by B. Asleson to go into executive session for the purpose of the business manager's evaluation at 6:03 PM pursuant to SDCL 1-25-2(1). All voting "aye", motion carried.

Regular session resumed at 6:27 PM

ADJOURNMENT: There being no further business at this time, on motion by B. Asleson, seconded by N. Koehlmoos to adjourn. All voting "aye", motion carried. (6:28 PM)

ATTEST: Shane Roth, President
Susan, L. Purintun, Business Manager

Published once at the approximate cost of \$_____.