

POLICY AND PROCEDURES MANUAL

2026-2027

Adopted: August 18, 2026

MISSION STATEMENT
American Horse School will stand together so that our children will recognize and embrace education for the future.

VISION
We will stand together to create a healthy learning environment so that our children at American Horse School have the opportunities to acquire leadership competencies for building a better future by achieving a level of greatness experienced by our people carrying on the values that are uniquely and beautifully Lakota.

SCHOOL PHILOSOPHY
The American Horse School believes that every child has an inherent right to lifelong Learning. We believe that ALL children have the potential and ability to learn. In partnership, we can help to facilitate the achievement of personal goals and embrace and retain Lakota values. American Horse School embraces the seven Lakota values and virtues:

Waohola-Respect	Woksape-Wisdom	Wocekiya-Prayer
Wahwala- Humility	Waonsila-Compassion	Wawijake-Honesty
	Wawokiye-Generosity	

STUDENT NON–DISCRIMINATION
Every student shall have equal educational opportunities and access to all school activities, opportunities and support services regardless of race, color, creed, sex, and national origin, place of residence or physical challenged.

Interim School Board Members:
Mr. John Haas
Dr. Richard Iron Cloud
Mr. Robert Two Crow

Administration:
Alice Phelps
American Horse School,
P.O Box 660, Allen, SD, 57714, Phone: 605-455-1209

REASON FOR POLICY
It is important that American Horse School academic and research missions are supported by qualified employees, with a safe and secure environment for all AHS constituents, including students, visitors and employees. It is also important that AHS take meaningful actions to protect its staff, students, funds, property, and other assets.

We shall coordinate Title IX, Affirmative Action, and the Americans with Disabilities Act (ADA) compliance activities. Any person who feels they have been discriminated against shall contact this person or contact the Regional Director, Department of Education, Office for Civil Rights, 1244 Speer Blvd., Suite 310, Denver, Colorado, 80202-3582

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SECTION 1- SCHOOL BOARD POLICIES

1.01 SCHOOL LEGAL STATUS

The American Horse School is a non-profit educational enterprise organized under Oglala Sioux Tribal Council Resolution No. 70-51 in order to provide educational programs to students within the American Horse School service area.

REF: AHS Constitution and By-Laws

1.02 BOARD LEGAL STATUS

The American Horse School Board ("Board") is an elected body established to operate and provide community direction for the American Horse School. The purpose of the Board is to maintain and continuously upgrade the education programs at American Horse School.

1.03 BOARD AUTHORITY

The authority of the Board is described in the American Horse School Constitution and By-Laws, pursuant to Oglala Sioux Tribal Council Resolution Nos. 70-51 and 76-06.

1.04 BOARD POWERS AND DUTIES

The powers of the Board are established in Oglala Sioux Tribal Council Resolution Nos. 70-51 and 76-06.

The Board shall exercise the following powers and duties, subject to any limitations imposed by the prevailing laws of the United States or of the Oglala Sioux Tribe.

To consider and make final decisions on all programs and proposals relating to curriculum, instruction, personnel, food service, plant facilities, transportation, support services and fiscal and budgetary matters.

To apply for grants or other funding, negotiate contracts, Or amendment or appeal adverse decisions at any level regarding the execution of a contract with the Bureau of Indian Affairs, Bureau of Indian Education, U.S. Department of Education, or other public or private agencies.

To pursue Indian control of all matters relating to education within the American Horse School service area as provided in Public Laws 93-638 (Indian Self-Determination and Education Assistance Act), 95-561 and 100-297 (Tribally-controlled school grants).

To cooperate and collaborate with other organizations and agencies in activities related to the American Horse School mission and purpose, provided such partnerships are not binding on the American Horse School or the Oglala Sioux Tribe.

To buy, own, hold, sell, assign, mortgage, lease, or sublease any interest in real or personal property, as authorized under Oglala Sioux Tribal law or the laws of the United States.

To make contracts, including contracts of employment, and to receive funding from any government or private source and to expend these funds in furtherance of the mission and purpose of the American Horse School.

To sue and be sued to the extent allowed by law. The Oglala Sioux Tribe in the resolutions referenced herein gives its consent to allow the American Horse School to sue and be sued upon any contract, claim or obligation of the School arising out of the accomplishment of its mission and purpose and hereby authorizes the American Horse School to enter into limited waivers of its sovereign immunity from suit, provided, that neither the Oglala Sioux Tribe nor any of its assets, including real property, shall be liable for the debts or obligations of the American Horse School.

REF: OST Res. Nos. 70-51 and 76-06.

1.05 BOARD GOALS AND OBJECTIVES

The goals and objectives of the American Horse School board are:

I. To raise and maintain the standards of education within the school system in order to improve the education provided to the children.
II. To provide control of education by members of the Oglala Sioux Tribe residing within the American Horse School Service area.
III. To provide education and to develop programs based on the needs of and to benefit the citizens and communities of the school service area.
IV. To promote the wellbeing of children at home, in school, and in the community
V. To bring the school and parents and/or guardians to a closer partnership.
VI. To instill knowledge of and pride in Lakota language and culture through the atmosphere and curriculum at the school.

1.06 INDIVIDUAL BOARD MEMBER AUTHORITY

An individual Board member may only act in his or her capacity as part of the American Horse School Board when the Board is in session during a meeting scheduled pursuant to this policy.

1.07 NUMBER OF BOARD MEMBERS

The American Horse School Board is comprised of five (5) voting members. The Board may appoint an ex officio member at their discretion.

1.08 BOARD MEMBER QUALIFICATION

All Board members shall be at least twenty-one (21) years of age at the time of their election. All Board members must pass a background check that meets the BIE and OST requirements, and drug test.

Four (4) Board Members will be elected from the Pass Creek District of the Oglala Sioux Tribe. One (1) Board member will be elected from the LaCreek District of the Oglala Sioux Tribe.

1.09 BOARD METHOD OF ELECTION

Board members shall be elected pursuant to the current American Horse School Board Election Policy.

Any issues that are not specifically identified and/or addressed by the American Horse School Board Election Policy, shall be resolved using the current Oglala Sioux Tribe election code.

1.10 BOARD MEMBER TERM OF OFFICE

Members of the Board shall be elected to staggered terms as required by American Horse School Board Election Policy. The term of office for members of the Board shall be shall four (4) years.

Elections will be held every two years. Elections will alternate between electing two Pass Creek board members and the remaining two Pass Creek Board members along with the La Creek Board member.

Newly elected Board members will be seated at the regular Board meeting held on the first Wednesday in January following their election.

1.11 BOARD MEMBER CONDUCT

Board members shall abide by American Horse School Drug and Alcohol Policy and the Code of Ethics in Section 1.54 of this document.

1.12 BOARD MEMBER RESIGNATION

Board members may resign at any time through a written notice of resignation. A retiring member shall return all Board materials, including any electronic devices, to the American Horse School Administrator.

1.13 BOARD MEMBER REMOVAL FROM OFFICE OR SANCTION

1. Removal

The following are causes for removal from school board membership:

A. If a board member is absent from three (3) consecutive regular meetings, he/she may be removed by the other school board members by a majority vote of the remaining

members. The President of the school board shall notify the ex-member by certified mail that such removal has taken place. In the event that the President is to be removed the notification shall be made by the Vice-Chairman of the Board.

B. A board member may be removed due to inadequate attendance at meetings while on travel status, unethical and/or unlawful conduct, or conduct unbecoming a board member as determined inappropriate by an affirmative vote of three (3) of the remaining members of the board.
C. A school board member may be removed for cause in a vote of fifty-one percent (51%) of the electorate eligible to vote in a school board election; such vote shall be in favor of removal of such board member at a duly held recall election. A recall election shall be held only upon satisfactory completion of the following conditions and procedures:
    a. A recall petition must be prepared naming the board member or members to be removed, the reasons for the removal, and be duly verified by the circulation of the recall petition.
    b. The recall petition must be circulated. and signed by fifty-one percent (51%) of the total number of votes cast in the preceding school board election. Beside each signature, the signer must place the date of signing and his/her local address.
D. Violation of American Horse School Drug and Alcohol policies as set forth in the American Horse School Drug and Alcohol Policy, section 300, #3.43.
E. Violation of any American Horse School Fiscal Management Policies and Procedures.
F. Violation of the Code of Ethics of the American School Board Association.

2. Sanction

An admonishment by the members of the American Horse School Board of another board member for actions not in accordance with the American Horse School Personnel and Fiscal Management Policies and Procedures and/or the Code of Ethics, or for conduct unbecoming a board member, as determined by an affirmative vote of the majority vote of the board members present at a duly called meeting, shall be published in the minutes of the school board meeting.

The procedure set forth below shall apply to sanctioning a Board Member.

3. Procedure

Any member of the Board may be removed from his or her position for cause by the following procedure.

At any regular or special meeting of the Board, with a quorum present and by a majority vote, the members may adopt a resolution to place question of the removal of a Board member the before the Board. The resolution must state the reason removal is sought.

The Board member in question shall be notified within seventy-two (72) hours of such action in writing by the highest-ranking officer of the Board.

At a subsequent meeting, not less than ten (10) calendar days after the member in question has been notified of the resolution, the Board member may be removed by a majority vote of all other members of the Board, after the member in question has had the opportunity to hear and respond to the reason stated in the resolution, and the other Board members have heard and considered the member in question's response.

Any complaint against a member of the Board must be in writing, signed by the complainant and notarized.

Any member who has been removed from office according to the provisions of this policy shall be ineligible to run for membership on the Board for five years.

1.14 BOARD MEMBER VACANCIES

Any vacancy which occurs in the membership of the Board shall be filled by a majority vote of the remaining members of the Board at the next regularly scheduled meeting of the School Board after the vacancy has been advertised and eligibility requirements published and posted for a period of thirty (30) calendar days. The successor shall serve until the next regularly scheduled School Board Election.

If a vacancy occurs in the office of the President of the Board, the Vice President shall serve the remainder of the term.

A vacancy on the Board shall be deemed to have occurred when a member:

- Deceased;
- Resigns;
- Ceases to physically reside within the school service area;
- Is unable to serve on the Board and attend meetings for more than ninety (90) consecutive days because of illness or prolonged absence;
- Fails to discharge the duties of the office;
- Fails to qualify as provided by law;
- Is convicted of a felony;
- Fails to attend three (3) consecutive regular Board meetings without excuse;
- Attends a Board meeting under the influence of alcohol or illegal drugs;
- Is removed for any reason allowed by law, including by a majority vote of the Board pursuant to Section 1.13 of this document;
- Accepts any position of employment within the school system;
- Violates any provision of the Board Member Code of Ethics;

1.15 BOARD OFFICES

The officers of the Board shall be a President, Vice President, Secretary and such other officers as the Board shall deem necessary.

1.16 BOARD OFFICERS METHOD OF ELECTION

Officers shall be elected annually at the regular meeting held on the first Wednesday in January, with all Board members present at the meeting. The Board President-elect will preside at the next scheduled meeting after election.

Nominations for officers shall be made by the five (5) elected members of the Board and may be voted on by secret ballot.

1.17 DUTIES OF THE BOARD PRESIDENT

The President shall preside at all meetings, make reports and perform such other duties as required by law, provided in the by-laws, or assigned by the Board. In addition, the President as presiding officer shall:

1. Call the meeting to order at the appointed time,
2. Conduct business to come before the Board in its proper order,
3. Assign the floor to members, who desire to speak and protect the speaker from any disturbance or interference,
4. Explain the effect of a motion if not clear,
5. Restrict discussion to the question before the Board,
6. Sign all acts or orders necessary to carry out the will of the Board,
7. Put motions to a vote, state definitely and clearly the vote and result,
8. Appoint committees, as the Board deems necessary,
9. Participate as a regular voting member of the Board,
10. Serves as spokesperson for the Board, except, when this responsibility has been placed with someone else.
11. Countersign restricted fund checks, contracts, and official reports submitted on behalf of the board,

REF: AHS Constitution Article IV Section 3

1.18 DUTIES OF BOARD VICE-PRESIDENT

The Vice-President shall work closely with the President all functions of the Board, shall act as an aide to the President/, and shall perform the duties of the President in his/her absence.

REF: AHS Constitution Article IV Section 4

1.19 DUTIES OF THE SECRETARY

The board will appoint a secretary who will keep minutes of the official actions of the board. The minutes of board meetings are the written permanent records of the board, are open for public inspection during regular working hours in the business office and will include:

A record of all actions taken by the board, with the vote of each member recorded. Resolutions and motions in full.
A record of the disposition of all matters the board considered, but took no action.

REF: AHS By-Laws Article I Section 11

1.20 BOARD MEMBER AUTHORITY

American Horse School Board members may only act in their official capacity when the Board is in session. A majority vote of Board members is necessary to transact business.

Individual Board members or groups of Board members may not speak for the Board or commit the Board to any course of action unless directed to do so by the Board.

The Board may not be bound by any statement or action of any individual of the Board member or employee.

REF: Sections 103 and 106

1.21 BOARD MEMBER ORIENTATION

The Board President and President shall assist each new member to understand the Board's functions, policies and procedures, and any special problems or concerns as needed.

Newly elected chosen members shall be encouraged to attend all Board meetings and events in the interim between his or her election and the start of his or her term of office and shall be provided with copies of all appropriate publications and aids, including the Board policy manual and publications of state and national School Board Associations.

1.22 BOARD MEMBER COMPENSATION AND EXPENSES

The Board shall compensate its members for reasonable expenses incurred in the performance of their official duties, if funds are available, in the amount of one-hundred fifty dollars ($150.00) per meeting.

Any meetings held after the designated 24 meetings may be unpaid.

Board working sessions in the amount of two-hundred dollars ($200) per day.

REF: Section 1.31

1.23 BOARD MEMBER TRAINING

In fulfillment of the requirements of P.L. 100-297, each Board member shall receive forty (40) hours of actual training per year. Educational informational activities are not considered actual training hours.

1.24 BOARD MEMBER DEVELOPMENT OPPORTUNITIES

Board members are encouraged to participate in meetings conferences and workshops of State and National Indian Education Associations, Roberts Rules of Order, National Indian School Board Association (NISBA) and in other activities which will help them to better perform their Board duties.

The Board shall approve members to participate in these events and activities. Board members who attend will be requested to share any information, recommendations and materials obtained at these development opportunities with other Board members at the next regularly scheduled Board meeting after their return. Funds for participation in development events and activities shall be included in the annual Board budget.

Board members must use any received travel or training funds to attend the event. If the Board member does not attend the event, they must return the travel or training funds within the current fiscal year and may also face disciplinary action by the Board.

1.25 BOARD MEMBER CONFLICT OF INTEREST

When a matter comes before the Board, including personnel actions and hiring decisions, involving a person who is in the immediate family of a Board member or a member of a committee which by rule of practice nominates, recommends or screens candidates for positions of employment or consultant work, that relative will disqualify himself or herself from participation in any selection procedure and/or subsequent action. Board members can disclose a conflict of interest that is financial, personal, or other potential conflict a board member should recuse themselves.

For the purpose of this part, immediate family means: parent, grandparent, child, grandchild, spouse, or sibling, whether by blood, marriage, or adoption. Immediate family member shall also include all persons living within the household of the employee.

1.26 BONDED BOARD MEMBERS

All Board members who sign checks shall be included under the American Horse School blanket bond.

1.27 RULES OF ORDER

Robert's Rules of Order shall govern the Board in all cases to which they are applicable and not inconsistent with the policies or any special rules that the Board may adopt. Cell phones may not be used during Board or committee meetings; anyone needing to make a call must step outside of the meeting room.

1.28 QUORUMS

Three (3) voting members of the Board shall be present at an official meeting of the Board to constitute a quorum for the transaction of business.

1.29 VOTING METHOD AT BOARD MEETINGS

Voting at all meetings of the Board shall be by show of hands unless otherwise established by the Board.

1.30 ANNUAL BOARD RETREAT

The annual Board Retreat at which the Board shall meet with all school departments shall be held in the month of June. The Board will review and finalize school policy, conduct Board training sessions as needed, and manage any additional school related matters.

1.31 REGULAR BOARD MEETINGS

All School Board meetings are open to the public.

Regular meetings of the Board shall convene on the first Wednesday of every month at a place to be determined by a majority vote of the Board members. The time, date, and location of the meeting shall be posted on the agenda.

All AHS Administrators shall attend all meetings of the Board. Program supervisors are encouraged to attend the regular monthly meetings of the Board.

1.32 REGULAR FINANCE MEETING

Regular finance meetings will be held on the third Wednesday of each month.

1.33 SPECIAL BOARD MEETING

Special Board meetings may be called whenever deemed necessary by the President/Treasurer upon three (3) days' notice. This notice may be waived by a quorum present at a Board meeting.

1.34 EMERGENCY MEETINGS

The Administrator shall notify the President/Treasurer of any need for immediate Board action. The President/Treasurer may call an emergency meeting of the Board after due notice to the Board members of the time, place, and purpose for an emergency meeting. Notice may be given to the Board by telephone, text, email, voice message, fax, or mailing.

1.35 RECESSED MEETINGS OF THE BOARD

The Board may, by majority vote, recess until a later time should it be unable to complete the work scheduled at any meeting. When the Board reconvenes, it shall take up its work at the point where the regular meeting recessed.

1.36 EXECUTIVE SESSIONS

Closed sessions may be necessary to conduct business which because of its special or sensitive nature may be hindered by public scrutiny. These sessions shall comply with all laws pertaining to the actions of public policy making bodies. The Board may call a closed session for the following reasons:

1. Meetings held for investigative purposes imposed by law;
2. Meetings when discussing the appointment, employment, disciplinary action or dismissal of an employee;
3. Meetings when hearing complaints or charges brought against a school board member or employee unless the person requests a public meeting;
4. Attorney-client privilege recognized by State and Tribal laws;
5. When conducting a hearing of a student disciplinary action;
6. When discussing the purchase of real property, or matters of highly personal nature.

Executive sessions may only be initiated by a majority vote of the Board members present. The purpose of the executive session must be stated prior to the start of the executive session. All voting concerning matters discussed in executive session must be public, after the executive session has concluded.

1.37 BOARD MEETING NOTIFICATION

Notice shall be given to the public of the date, time and place of all Board meetings and shall be posted in conspicuous places and/or published as decided by the Board.

This requirement of public notice of Board meetings is waived for emergency meetings where public notice would delay Board action and harm the interests of the School, but minutes of such emergency meetings will be made available to the public.

1.38 PUBLIC PARTICIPATION

Any person who disturbs the order of a Board or committee meeting may be required to leave the meeting. Harassment of any elected official, including school board members, is prohibited.

In order to hear the viewpoints of citizens regarding school business, the Board shall schedule a specified length of time during its regular meetings for brief comments and questions from the public.

Procedures:

1. The Board President shall call on all speakers, who shall properly identify themselves and shall keep to a three (3) minute time limit.
2. Speakers may offer criticism of school operations or programs; however, the Board will not hear personal complaints against any person connected with the school system.

3. Comments and questions at a regular meeting may relate to any topic related to the school except for personnel matters. Public comments at special meetings may address the reason the meeting was called or other school matters.
4. Members of the public wishing to make formal presentations to the Board scheduled and added to the agenda in advance by the Administrator.
5. Groups addressing the Board shall designate a single spokesperson.
6. Questions shall be answered immediately by the President or referred to staff members present for a reply. Those questions which require further consideration shall be referred to the appropriate school administrator for response by a stated deadline.

1.39 BOARD MEETING NEWS COVERAGE

Local news media may be invited to attend all regular meetings of the Board.

1.40 MINUTES OF BOARD MEETINGS

The minutes of Board meetings are the official record of all proceedings of the Board. Minutes become official after they are approved by the Board and signed by the Board President. Minutes must be signed within forty-five (45) days of the date they were taken. Official Board minutes shall be published by the Administrator, made available to the public, and kept on file in the Administrator's Office and the Business for public inspection.

Minutes of all Board appointed or established committee meetings shall be submitted to the Board for review and approval.

1.41 SCHOOL BOARD RECORDS

The Administrator or designee shall be responsible for the safe keeping of all official papers and other documents which are the property of the Board or pertain to its business.

Any individual may request the right to review the official minutes of the Board or its written policies, through submission of a written request to the Administrator. For current Board minutes, the Administrator shall make the requested documents available for review within five (5) days after the minutes are approved by the Board. The minutes may be reviewed only during the hours that the Administrator's office is open. Any person may request a copy of approved School Board minutes. Any cost for making copies may be charged to the requestor by AHS.

Records pertaining to individual students or employees shall not be released for inspection to any person unauthorized to access those records.

1.42 BOARD POLICY DRAFTING

Any Board member, individual or group of citizens, students or employees, may initiate proposals for new policies or amendments to existing policies by submitting a request in writing to the Administrator. The Administrator shall review such proposals prior to submission for Board discussion.

Prior to taking final action on a policy proposal the Board shall take into consideration the recommendation of the Administrator and the viewpoints of persons and groups affected by the policy.

The Administrator shall seek the counsel of the school attorney whenever a policy proposal raises a question of legality or proper legal procedure.

1.43 BOARD POLICY DRAFT WRITERS

The Administrator or designee is responsible for formatting written policy recommendations for Board review or action.

1.44 BOARD POLICY DEVELOPMENT

The Board is the policy making body for the American Horse School. Through the development and adoption of written policies the Board shall exercise its right to operate and manage the school system. The Board approved written policies shall serve as guides for persons to whom it delegates authority as a source of information and guidance for all interested and affected persons.

The policies of the Board shall be consistent with applicable Federal, Tribal, and State laws.

1.45 POLICY ADOPTION

Policies are set by the Board as a whole. Individual Board members do not act for the Board except as designated by Board action. Board policies may be amended or adopted by the following procedure:

1. At any regular or special meeting of the Board, a quorum may move to place an amendment to school policies or a new policy before the Board at its next regular meeting.
2. The Secretary shall give notice to the public of the consideration of any amendment to school policies or a new policy by including the text of the proposed policy in the notice of the next regular Board meeting.
3. The policy proposal shall be adopted if a majority of the Board members constituting a quorum approves said proposal at its next regular Board meeting.

1.46 BOARD POLICY DISSEMINATION

The Administrator shall develop any necessary rules and regulation required to put Board approved policies into effect, and shall make the policies and the rules and regulations accessible both to the public and to school employees.

The Administrator shall follow policies that affect them and their work.

The school policy manual is a matter of public record and shall be open for inspection at the Administrator's Office during the regular working day. The policy manual shall be updated annually.

Any approved policy changes will be posted at the Allen and LaCreek CAP Office(s) and the Allen Post Office.

1.47 REVIEW OF BOARD POLICY

To keep all written policies current, the Board shall review its policies on a regular basis. The Administrator shall call to the Board's attention any policy which is out of date or in need of revision.

1.48 CONSULTANTS TO THE BOARD

Professionals, consultants, subcontractors, or other entities through which the Board obtains services for the school must be hired by the Board under a contract which specifies:

1. The scope of the service(s) to be provided;
2. The timeline for the delivery of service(s); and
3. The compensation requirements, including the rate of pay and/or related expenses for service provided.

1.49 MEMBERSHIP IN SCHOOL BOARD ASSOCIATIONS

The American Horse School Board may become a member of any school Board Association and/or the Oglala Lakota Nation Education Coalition (OLNEC) and may participate as fully as possible in these associations, both as a group and as individual Board members.

1.50 SCHOOL ATTORNEY(S)

The Board shall retain an Attorney for legal counsel and to provide any other necessary legal services. The School Attorney shall be available to the Administrator for such services.

The Attorney shall attend School Board or other meetings upon request, and with reasonable notice. The Attorney must be knowledgeable in the following areas: Oglala Sioux Tribal Law, Federal Indian Law, Indian education and school system, public school law, and must be able to practice in the Oglala Sioux Tribal Court.

1.51 BOARD COMMITTEES

The Board may authorize its President to appoint such committees as it deems necessary. The functions of the committee shall ordinarily be fact finding, deliberative and advisory. They may be legislative or administrative when so authorized by special action of the Board. Committee reports shall be submitted to the Board for discussion and action.

1.52 ADVISORY COMMITTEES TO THE BOARD

The Board encourages citizen participation in the decision-making process. From time to time the Board may organize an advisory committee to allow for more regular citizen engagement in the Board's deliberations.

The composition of an advisory committee should take into consideration the specific task assigned to that committee. Staff member(s) may be assigned to an a to help it carry out its functions.

Only the Board shall instruct an advisory committee as to:
1. The purpose and task of the committee;
2. The length of time the committee will be organized, and the length of time each member is being asked to serve;
3. The resources the Board will provide to the committee;
4. The approximate date(s) the Board wishes to receive committee reports;
5. Board policies governing committees and the relationship of these committees to the Board as whole, to individual Board members, and to the Administrator and other school employees;
6. Committee responsibilities for the release of information to the press.

Advisory committees that are required by law shall function in accordance with the requirements pertaining to each specific Federal or State program and shall implement and evaluate such program or project.

The legal powers of the Board cannot be delegated or surrendered. All recommendations of an Advisory Committee must be submitted to the Board for final action. The School Board shall appoint and approve all Parent Advisory Committees.

1.53 AWARDS, RECOGNITION, CERTIFICATIONS

The Board, when it deems necessary, may recognize outstanding achievement and services to the American Horse School educational community with the award of certificates of appreciation to Board members, staff, students, community leaders and others.

1.54 CODE OF ETHICS FOR BOARD MEMBERS

Education rests on firm commitments to the dignity and worth of each individual; to the preeminence of enlightenment and reason over force and coercion; and to government by the consent of the governed.

Schools prosper to the extent they merit the confidence of the people. In judging schools, society is influenced to a considerable degree by the character and quality of their School Board. To meet these challenges, School Boards have an obligation to exercise competent and ethical leadership. To this end, School Board members shall comply with the following Code of Ethics.

As a School Board Member at the American Horse School:

1. I understand that my basic function as a Board member is policy making and not administrative.
2. I shall not micromanage committees, and shall let them carry out their responsibilities.
3. I will refuse to "play politics" in any partisan or petty sense.
4. I recognize that I have no legal status to act for the Board outside of official meetings.
5. I will refuse to participate in irregular or unofficial meetings that other Board members do not have an opportunity to attend.
6. I shall not make commitments on matters that should properly come before the whole board.
7. I will make decisions only after all available facts have been presented to the Board and discussed.
8. I will respect the opinion of others and graciously accept the Administrator of "majority rule" in Board decisions.
9. I will respect the rights of members of the public to be heard at meetings.
10. I will present any personal critiques of school operations directly to the Administrator rather than to school personnel.
11. I will require that school business transaction be ethical and aboveboard.
12. I will refuse to use my position on the Board for personal gain.
13. I will refuse to bring personal problems into the Board deliberations or discussions.
14. I will comply with OST Education Code Requirements; this includes ensuring the Annual Report is timely submitted to the OST Education Department and OST Education Committee. The Annual Report shall also be posted to the school's webpage and accessible for the general public to access and review.
15. I will not solicit funding from AHS, its employees, and board members.

SECTION 2-SCHOOL ADMINISTRATION

2.01 ADMINISTRATION GOALS

This section shall apply to the School Administrators only. In the event there is no guidance in this section regarding an administrator, refer to the Personnel section. The general purpose of the administration of the school shall be to coordinate and supervise the creation and operation of an environment in which students learn.

The goals of the administration shall be:

1. To manage the various personnel, departments, teams, committees, and programs effectively.
2. To provide professional advice and recommendations to the Board and advisory groups.
3. To assure the best and most effective learning processes are achieved.
4. Provide leadership to ensure school is integrating current educational trends.
5. Arrange and manage staff development and resources aimed at improving student learning and providing a safe school environment.
6. Provide staff, students, parents, and stakeholders access to the decision-making process.

2.02 DUTIES AND RESPONSIBILITIES

To meet challenges, administrators have an obligation to exercise leadership. Administrators shall comply with the following code of ethics:

1. Attend all meetings, discuss items presented on the agenda, suggest other items for consideration, and act in an impartial manner for the good of the school.
2. Accept the decisions of the school board in all cases and give support to resulting policy.
3. Become familiar with school policies and procedures.
4. Have knowledge of the educational goals, objectives, and outcomes of the school.
5. Represent and support the school to the public.
6. Carry out and enforce all board authorized policies and directives.
7. Respect the civil rights of all individuals in the performance of their duties.
8. Exemplify high moral standards by not engaging in or becoming a party to such activities as fraud, embezzlement, deceit, moral turpitude, illegal drugs, or use of misleading or false statements.
9. Refrain from acting on personal politics, attitudes and opinions in enforcing school policies.
10. Safeguard confidential information.
11. Not allow decisions or actions to be impaired or influenced by personal gain, gifts, gratuities, favors and services made or withheld.
12. Avoid preferential treatment and conflicts of interest.

2.03 ORGANIZATION CHARTS

The lines of authority in the organizational charts represent the direction of authority and responsibility and shall be regarded as visual representations of current policy. Legal authority

of the Board is conveyed through the Administrators by the organizational charts, which shall be submitted to the Board for approval.

The Administrators may reorganize lines of authority and revise the organizational chart with administrative input and the affected departments, subject to Board approval, as long as such reorganization conforms to the Constitution and By-laws, and policies and procedures of American Horse School.

2.04 SCHOOL FACILITIES

Administrators shall complete a plan of assignment of all personnel work spaces.

2.05 LINE AND STAFF RELATIONS RECRUITMENT

The Administration or designee shall inform all school staff regarding working relationships at the school. Lines of direct authority are those approved by the Board and shown on the school organization chart. School staff shall refer matters requiring administrative action to their immediate supervisor who shall refer such matters to the next higher administrator when necessary. All school staff shall keep their immediate supervisor informed of their activities. In the case where a conflict of interest may exist, the staff member shall refer the matter to the next higher administrator.

2.06 SCHOOL ADMINISTRATOR

The Administrator is the chief administrator employed by the Board. The Administrator serves by contract with the Board. The Administrator immediate supervisor shall be the AHS School Board. To be eligible for the position of Administrator, a person must meet the legal requirements of the accrediting authority applicable to Administrator. The Administrator is charged with the overall responsibility of the operation and administration of the school within the framework established by the policies and directives of the Board. The Board shall rely on the Administrator to provide professional administrative leadership. The Board is responsible for clearly specifying the requirements and expectations of the Administrator. The Administrator shall be responsible for clearly specifying requirements and expectations for all other supervisors and hold each of them accountable.

2.07 ADMINISTRATOR RECRUITMENT

The Board shall consider only those candidates who meet qualifications of the accrediting agency and who display the ability to successfully carry out the duties of Administration. The Board shall solicit applications from qualified members of the staff and may list the vacancy with any placement agency at its discretion.

2.08 ADMINISTRATION SELECTION AND INTERVIEWING PROCESS

Applications for the Administrators shall be screened and those candidates selected as finalists by the Board shall be interviewed. The Board shall endeavor to conduct interviews on a school day so that applicants may visit the school while in session and may utilize the services of the

retiring Administrator or an outside consultant for recruiting and interviewing candidates for the administrative positions. The Board reserves the right to re-advertise if the Board is dissatisfied with the existing group of applicants.

1. Applicants must submit a letter of application, resume, credentials, certificate of endorsement, and official transcripts.
2. The American Horse School Board shall screen the applicants and schedule structured interviews with the selected finalists and with the participation of staff, students, parents and community members. Interview questions must relate to the pre-established criteria deemed appropriate by the School Board.
3. The Administrator shall be subject to a pre-employment alcohol and drug test, a background check which shall include, but not be limited to, criminal history, employment history, and a due diligence background check. The contract with the Administrator, even if signed by the parties, shall not be considered executed, valid or enforceable until all results are returned regarding the background check. The legal effect of positive drug and alcohol test results coming in after the contract has been signed is that the Administrator's contract shall be considered null and void, as if no employment relationship exists between the Administrator and the American Horse School.

2.09 ADMINISTRATOR APPOINTMENT

The Board shall select and appoint an Administrator.

2.10 ADMINISTRATOR EXPENSES

The Administrators shall be reimbursed in the same manner and at the same rates as all other employees of AHS.

2.11 ADMINISTRATOR PROFESSIONAL DEVELOPMENT OPPORTUNITIES

Administrators shall pursue professional development to keep the Board and professional staff informed of new and promising educational developments. The Administrators should attend educational conferences, seminars, workshops, and other professional meetings, visit other school systems, and use other means to be informed about current educational practices and process.

The Administrators shall notify the Board Chairperson of any professional meetings, which will cause the Administrator to be absent from the school for more than two (2) consecutive workdays. Professional development of more than three (3) days shall require notification of the entire Board. When the Administrator is absent, the Administrator shall notify school personnel of their absence, along with who the Acting Administrator shall be.

2.12 ADMINISTRATOR CONSULTING

The Administrators shall devote their time to the supervision of the school and shall not be engaged in any other business, which includes identified extra-curricular activities. Only by prior agreement with the Board, may the Administrator undertake consultant work or other professional obligations.

2.13 ADMINISTRATOR EVALUATION

The Board shall evaluate Administrator at least once annually with consensus about the Administrator's abilities and performance put in writing and made available to the Administrator utilizing an approved Assessment form. The Assessment criteria shall include, but not be limited to the criteria relied upon in hiring the Administrator.

2.14 BOARD/ADMINISTRATOR RELATIONS

Legislation of policies is the most important function of the Board and the execution of policies is the function of the Administrator. However, at all times the Administrator is supervised by the AHS School Board. The Administrator has executive powers to administer the school within Board policies, freeing the Board to devote time to policymaking and assessment functions. The Administrator is responsible for carrying out policies within established guidelines and for keeping the Board informed about school operations. The Administrator will notify the Board Chairperson and/or Board members as soon as possible of any events of an emergency nature which occur in school and any other important information.

1. The Administrator must obtain the approval of the Board President in writing for leave requests in advance of taking leave. Any decision to deny a leave request by the Board President may be appealed to the School Board in writing within five (5) working days of the denial. Failure to obtain advance approval for leave is grounds for disciplinary action.
2. Only the School Board can issue disciplinary action regarding the School Administrator.

2.15 ADMINISTRATOR COMPENSATION GUIDELINES AND CONTRACTS

The Board shall employ an Administrator with the ability to exercise professional leadership in the school.

1. The salary for the Administrator shall be negotiated with the Board. The salaries must be within established budget line items.
2. The amount and type of leave for the Administrator shall be negotiable.
3. The fringe benefits for the Administrator shall be according to the fringe benefits employees currently receive.
4. Any provisions and negotiated items shall be clearly specified on the Administrator's contract and approved by the Board.
5. The original contract executed with the signatures of the Administrator and Board Chairperson shall be placed in the personnel file of the Administrator.
6. The Board will notify Administrator of contract renewal or non-renewal by the first regular meeting in February.

2.16 ADMINISTRATOR SEPARATION

The contract of an Administrator who shall arbitrarily or willfully breach their contract or abandon their employment without being released by the Board shall be null and void. The Board may recommend to proper authorities that the license or certificate of the Administrator be suspended or revoked. The Board may dismiss a Administrator for reasonable and just cause to include, but not be limited to, breach of contract, incompetence, neglect of duty, immoral

conduct, in-temperance, brutal or oppressive treatment of a student or staff member, commission of a crime, continuing physical or mental disability rendering the Administrator unfit to perform their duties, refusing to give or follow a directive necessary to the safe and effective functioning of AHS, other matters prescribed by law, and violation of the code of ethics.

Only the Board may terminate an Administrator. If Board decides to proceed upon the charge(s), the Board shall notify the Administrator in writing of the charge(s) brought against the Administrator, the reasons therefore, and advise the Administrator of the right to a due process hearing before the Board upon said charge(s) at a date to be set by the Board.

By unanimous vote, the Board may suspend from active duty, with or without pay, an Administrator against whom formal charge(s) or recommendation for termination has been filed, until a final decision is rendered.

2.17 ADMINISTRATOR NOTICE OF INTENT NOT TO RENEW/RESIGNATION

Before the end of the contract, the Administrator shall give the Board thirty (30) calendar day's written notice of their intention not to renew the contract. The Administrator may not resign the position before the end of the contract without the approval of the School Board by motion. The Board may accept or refuse the resignation. The Board reserves the right if it refuses the resignation of the Administrator to petition the State of South Dakota to revoke the Administrator's certificate and/or to impose a salary penalty of not more than the amount listed in the contract, or up to 5% of the contract amount, whichever is greater.

2.18 ADMINISTRATOR TIME SCHEDULES

Daily time schedules for the Administrators shall be set by the School Board. Administrators shall be on duty in accordance with each Administrators designated contractual obligations. Administrators may be required to attend meetings, conferences, and other activities in connection with their job responsibilities, which might extend beyond the regular workday at no additional compensation.

2.19 BOARD POLICY IMPLEMENTATION

The Administration is responsible for enforcing Board established regulations and policies. Administrators are responsible for informing staff of policies and regulations and enforcing them.

2.20 DISREGARD FOR POLICY

Continuous disregard for Board policy and administrative rules and regulations shall be interpreted as insubordination or willful neglect of duty and may result in disciplinary action.

SECTION 3-STAFF POLICIES

3.01 PERSONNEL GOALS AND OBJECTIVES

The goals of the American Horse School are as follows:

1. To provide a system of personnel administration where economy and effectiveness in the services provided to the Board and fairness and equal treatment of the employees is promoted.
2. To base all appointments, promotions, measures for control and separations on objective criteria.
3. To make service to the school attractive as a career and encourage employees to render their best services to the public for which recognition shall be provided.
4. To provide the best possible education for the people of the school service area consistent with their wishes and the values of Lakota culture.

The objectives of the American Horse School are as follows:

1. To employ the best available personnel to staff the school.
2. To provide employees with fair and equitable rates of pay.
3. To provide attractive compensation and benefits for employees.
4. To provide personnel evaluation processes which contribute to the improvement of instruction and employee capabilities.
5. To provide in-service training programs that improve the educational programs and aid employees career aspirations.
6. To assign personnel to ensure they are utilized effectively.
7. To develop a climate productive to high employee performance, morale and satisfaction.

3.02 PERSONNEL VALUES

All employees are expected to exhibit a consistent, sensitive and sincere regard for the needs, values and heritage of Native American people. Conduct of employees is encompassed by behavior that exhibits the Lakota values of Wisdom, Generosity, Respect, and Courage.

The Characteristics of a value are:

1. A value must be publicly affirmed.
2. A value must be selected from alternatives.
3. A value must have significance to the individual.
4. A value must be acted upon.

3.03 STAFF DECISION MAKING

The school functions as a humanistic organization, which actively seeks the participation of all personnel. All employees are encouraged to provide input into the development of the programs and procedures of the school.

3.04 STAFF IN-SERVICE

The goal of in-service activities shall be for the improvement of instruction and support services through the professional growth of the employees and shall include techniques in the educations of student(s) with handicap. The school budget shall include funds for the in-service activities of the employees. The Administrator shall make the final determination as to in-service activities and participation.

3.05 STAFF DEVELOPMENT OPPORTUNITIES

Staff development participants shall share information/knowledge and/or material with other staff members to keep them informed of new events that affect the school system, i.e.; teachers.

3.06 GIFTS AND GRATUITIES

Employees may not accept money, gifts or gratuities from persons receiving benefits or services under school programs. However, in recognition and support of Lakota culture, those Traditional gifts given as part of tradition are allowed but will exclude monetary gifts.

3.07 SOLICITATIONS

Employees shall not sell, solicit for sale, or advertise for sale merchandise or services nor organize students or other employees for such purposes without the prior approval of the School Board.

Organizations may not solicit funds from students or employees nor distribute fliers related to fund drives within the school without the prior approval of the Administrator.

3.08 NON-SCHOOL EMPLOYMENT

Employees have a primary obligation to the job for which they were hired and /or assigned. However, the board recognizes the right of each individual to improve him / her financially.

Personnel of the school may receive compensation for outside activities with the prior approval of the Administrator as long as these activities do not interfere with the proper discharge of their assigned duties nor cause poor public relations within the school.

3.09 STAFF/COMMUNITY RELATIONS

American Horse School and Consultants are encouraged to participate in the developmental, recreational, and Community activities by the School Board.

3.10 STAFF POLITICAL ACTIVITY

Employees have the right to engage in activities, which exemplify good citizenship. However, school property and time shall not be used for political purposes of any kind. This is grounds for termination if sufficient evidence / proof is found of any employee engaging in the above actions.

Employment in the school shall not be offered as a consideration for the support or defeat of any political party or candidate for public office, including: State, Tribal and School Board.

3.11 STAFF CONFLICT OF INTEREST

No member of the staff, school volunteer or staff family member shall engage in or have a financial interest in any activity that conflicts or raises a reasonable question of conflict with her/his duties and responsibilities in the school system or engage in any type of private business during school time or on school property. Staff must abide by the Professional Code of Conduct for educators when having contact with children outside of the school.

1. Employees shall refrain from activities that conflict with the policies and procedures of the school that may result in a conflict of interest, or cause a reduction in job performance.
2. Children of employees, spouse, significant others and family may not remain at the place of employment (school building and school grounds) with you after school is dismissed or during employee work hours.
3. No member of the staff, school volunteer or staff family member shall engage in or have a financial interest in any activity that conflicts or raises a reasonable question of conflict with her/his duties and responsibilities in the school system or engage in any type of private business during school time or on school property. Staff must abide by the Professional Code of Conduct for educators when having contact with children outside of the school.
4. Every employee is required to disclose to the Administrator potential, actual, or apparent conflicts of interest. The Administrator is required to disclose to the School Board potential, actual, or apparent conflicts of interest. No employee may be present during any part of the decision-making process where a potential, actual, or apparent conflict of interest exists, and may not participate in the vote on any matter involving a conflict of interest.
5. Conflicts of interest are defined as:
   A. **Personal financial gain**, for purposes of this policy, is defined as: Financial benefit to the person or their immediate family.
   B. **Personal Conflict of Interest** is defined as: A conflict involving personal relationships in which the Board determines on the basis of objective evidence, that the decision maker is not capable of making an objective decision.
   C. **Immediate family member** is defined as meaning parent, grandparent, child, grandchild, or sibling, whether by blood, marriage, or adoption. Immediate family member shall also include all persons living within the household of the employee.
6. Conflicts of Interest are prohibited. Employees are prohibited from the following:
   A. No employee shall receive any financial benefits whatsoever from the purchase of goods or services from the school.
   B. Any contract in which an employee has a direct or indirect interest that has not been disclosed shall be considered null and void.
   C. Any employee member may run for Oglala Sioux Tribal Council. However, if elected to such body, he/she must resign from employment.
   D. When a person applying for employment is a member of the immediate family of an employee which by rule or practice regularly nominates, recommends or screens candidates, that employee shall be disqualified from participation in any selection procedure or subsequent personnel action. The requirements of this section shall include service contracts.

E. Any employee so related shall abstain from participating in any decision making involving a member of their immediate family.

F. Acceptance of gifts, gratuities, or meals from contractors or personnel employed by the school or under consideration for employment or contract with the school unless such gift or gratuity is first disclosed to the School Board and then approved by motion. If not approved, such gift or gratuity shall be turned over to the School for disposition. In recognition and support of local customs, those gifts given as part of community activities or Lakota custom are allowed, as long as the employee discloses the gift, in writing, to the Administrator, and the School board approves the gift on the record.

G. Every employee is required to disclose to the Administrator, actual, or apparent conflicts of interest. The Administrator is required to disclose to the School Board, actual, or apparent conflicts of interest. Where a conflict of interest involves an employee, that employee shall remove themselves from the decision making process, including leaving the room until a decision has been made on the issue, and shall refrain from participation in the decision making, including discussion of the issue.

If another Board member, School employee, or any other person raises an employee Conflict of Interest, the employee may remove themselves from participation in decision making, or the Administrator may remove the employee from decision making. In the case of the Administrator, the School Board may remove the Administrator from decision making by a majority vote.

3.12 TUTORING FOR PAY

To assure students receive assistance without being charged from their own teachers and to avoid placing a teacher in a position where there may be a conflict of interest, teachers shall not receive money for tutoring students they have in class or upon whose evaluation or assignment they may be called upon to make. Personal tutoring for which a teacher receives a fee shall not take place in school facilities.

3.13 SUPERVISION

Employees come under the direct supervision of the administrator assigned the primary responsibility of the particular department or program of the school in which they work and shall be advised of who their direct supervisor is no later than their first day of employment by their supervisor.

The Business Office or delegated personnel shall communicate to the employee and to the former and new supervisor of the employee in writing changes in supervisory assignment

American Horse School has an open-door policy so all supervisors will ensure they have an open communication channel with all staff members.

3.14 PERSONNEL RECORDS

The Personnel Office shall keep personal records on file for each employee, including: Job Description, Application, Employment Agreement (contract), W- 4 form, Employment Record

(salary), Evaluations, Personnel Actions, Transcripts, Teacher Certificate (when applicable).

All personnel records, except the application and evaluations, shall be considered confidential as per the Privacy Act and shall not be available for inspection by unauthorized personnel. Every employee has the right to review his/her own personal file.

3.15 QUALIFICATIONS

The School Board believes it to be of prime importance to obtain the best qualified personnel available to provide the highest quality educational programs for the students and service to the school.

3.16 POSITIONS

The School Board establishes all positions within the school and shall approve the application for purpose and function of each position as recommended by the Business Office or delegated personnel. AHS Board delegates to him/her the responsibility of developing job descriptions covering all details pertinent to positions within the school.

Only the School Board may create and abolish employment positions. The Business Office or delegated personnel shall maintain job descriptions for all employment positions.

The Administrator is responsible for notifying the School Board of anticipated or existing position vacancies occurring as a result of resignation, promotion, demotion, transfer, termination, or for positions occurring because of new or increased funding.

These vacancies must be advertised, unless an in-house transfer is approved by the School Board in accordance with these policies.

All employees or applicants are required to have a minimum of a high school diploma or high school equivalence / GED. Janitorial and kitchen staff positions maybe hired without a high school diploma or GED. Once hired janitorial and kitchen employees must meet this requirement within 12 months hiring date. Employees hired specifically as transportation staff, do not require a high school diploma or GED.

TYPES OF EMPLOYEES. Employees are normally hired on a contract basis to work for a specified amount of time in a specific job role. Employee positions are classified into the following categories:

1. Fulltime Contract…….…....40 work hours per week
2. Substitute……..…when needed on a day-to-day basis
3. Short Term Appointment… not to exceed 20 days.
4. Extra Duty……..…… extra-curricular activities
5. Bus Drivers…… ..paid by route
6. Intermittent Contractors…….. paid by activity
7. Consultant, …….....paid at time of services
8. Sports Coaches…….…….……will be on contract
9. Student Teacher, Interns, Work-study…..…....will be on Contract

A substitute employee is identified as an employee whose work assignment or School Board employment obligation does not exceed one (1) working day. A substitute employee is obtained only for the reason of regular employee absence to provide continuity of program services during such absence. After four (4) contact attempts with no replies, the School will send a letter to the substitute employee indicating that their services are no longer needed for substitute positions.

Short Term Appointment is identified as, the assignment of an individual by the School Board to a position or function for a period not to exceed twenty (20) working days, to provide for continuity of programs and services of the school.

The contract shall specify the tasks to be completed, deadlines and the fees for services performed. Full-time employees shall be selected for extra duties only with the approval of the School Board. Any school employee with an extra duty contract must have the approval of the Administrator in writing in advance for a variance from their normal hours of duty to perform extra duty contract responsibilities (for example leaving before the end of the day to coach basketball). Non employees selected for extra-duty contracts will undergo a minimum of one-day training and orientation prior to work and abide by all school policies and expectations during the time they perform the contracts.

A bus driver is paid per bus run and/or route. This includes, but is not limited to:
1. Picking up students in the morning from their homes;
2. Returning students to their homes after school;
3. Activity transportation. Any other transportation needed should be directed by and approved by the Administrator and/or Transportation manager.

An intermittent contractor is positions such as referees, time keepers, etc., for sporting events and contracted on an as needed basis. The reservation schools Big Foot Conference participants base the fees.

A Consultant, the School Board shall approve all consultant contracts.

Substitute and extra-duty contract employees are subject to the personnel policies and procedures and other employee requirements of the school, do not receive benefits of any type, are not paid for holidays or any other hours not worked, and the grievance system for employees is not available to them.

3.17 EMPLOYEE PROMOTION

Whenever new jobs are created or vacancies occur in a higher-rated position that may provide salary advancement, present employees who meet job qualifications may be eligible for consideration.

3.18 EMPLOYEE TRANSFERS

Personnel may transfer within the School on a voluntary or involuntary basis, unless position

advertising restrictions prohibit such transfer. Transfer may not be used as a means of disciplinary action.

1. *Voluntary Transfers:*

Employees may request transfer of assignment from one department or job to another which may be granted when in the best interest of the employee and the school.

Personnel wishing to transfer to another position within the school shall notify the Administrator of reasons for the request and the position to which transfer is desired. The Supervisor shall be consulted by the Administrator, who shall make the final recommendation to the School Board. The School Board shall make the final decision.

2. *Involuntary Transfers:*

If an involuntary transfer is in the best interest of the school, the Administrator will discuss the need for a transfer with the supervisor of the person involved and provide the School Board with information concerning the need for a transfer. The Administrator shall meet with the person(s) involved to discuss the reasons for a transfer and shall make the final recommendations concerning the transfer. Noncompliance with the transfer request of the School Board may result in loss of employment to person(s) involved. A transferring employee shall be paid at the salary, pay, or grade of the new position, whether more or less than the old position, but the School Board may consider maintaining the transferring employee's former salary, pay, or grade, but is not required to do so.

Transfers of support personnel shall be made in the best interest of the school and employee preference may be considered. The Administrator may take into consideration the recommendation of the transferring employee's supervisor prior to transfer. If an employee is transferred to a vacant or soon-to-be vacant position, then the requirement for advertisement of that position is waived by the School Board, and only the position being left vacant by the transferring employee shall be advertised, unless the former position is the subject of a Reduction-in-Force.

3.19 ADVERTISEMENT OF POSITIONS

The School Board may advertise all position vacancies occurring at the school for a period of no less than two weeks. The School Board has the authority to approve in-house transfer instead of advertising the position.

Vacancies shall be advertised by appropriate methods. The School Board may re-advertise vacancies if it determines there is a need to acquire more qualified, acceptable or additional applicants. The School Board may advertise positions as open until filled.

3.20 APPLICATION PROCESS

1. The School Board will approve an official employment application form.
2. Any person applying for an employment position at the school will be required to submit a completed application form.

3. The application form shall specify any additional information that will be required as needed. The School Board will consider only applications that are complete.
4. All applicants are required to complete the American Horse School's consent form and provide: his or her official name; date of birth; and social security number. This information will be provided to a third-party which the American Horse School has contracted with for associated services. The offer of employment must be withdrawn if the individual fails to complete the consent form.
5. **Background Checks**. Applicants will be required to submit approval to a Tribal Background and a federal fingerprint background check. All applicants shall be subject to a federal and state finger print background check, IAW BIE and Federal Public Law.
6. All applicants are subject to pre-employment drug testing.
7. Employees seeking voluntary transfer are also subject to these requirements.

3.21 BACKGROUND CHECK REQUIREMENTS

1. Policy

It is policy of American Horse School that all employees in the following specified positions have their criminal and other background information verified as a condition of continued employment. This policy is intended to support the verification of credentials, criminal history, and other information related to employment decisions that assist the AHS in meeting its commitments.

2. Procedures.

A. All hired applicants must have completed the American Horse School application for staff positions before they can be offered employment.
B. All approved applicants recommended for hire must pass a Pre-Employment screening process. The Human Resource office will complete the following steps under the Pre-Employment screening process:
    a. Employment Verification.
    b. Educational Verification.
    c. Certification-Licensure Verification, if applicable.
    d. Criminal history-State, Federal, and Tribal background checks and adjudications.
    e. Sex and/or Violent offender registry check
    f. Pass pre-employment drug test
C. Applicants selected for a position and approved by the School Board, may begin probationary employment as a conditional employee, at the school once the following Pre-Employment screening processes are completed:
    a. The federal criminal history background check is completed and adjudicated.
    b. The Sex and/or Violent offender registry check has been completed with no confirmed results.
    c. The applicants do not have any unresolved warrants in any jurisdiction.
    d. The applicant has passed the pre-employment drug test.
    e. The school completes and abides by a direct Line-of-Sight Supervision (LOSS) agreement for an applicant that has a completed federal background check and is awaiting State and Tribal background check results and final adjudication. A LOSS requires an employee to remain within the direct visual sight and

supervision of a fully cleared, and adjudicated, staff member at all times when children are present.

f. The school has submitted and is awaiting the pending State and Tribal criminal history background check results.

D. Any conditional employee maybe be terminated immediately if results from the State and Tribal criminal history background checks are unfavorable and the employee is not adjudicated; or if the conditional employee violates SOP 808-Attachment B-Rules of Behavior for Escorting Non-Cleared Personnel.

3. Prior Verification or History Checks.

Prior employment verifications and history checks for all approved applicants recommended for hire shall not be considered for new employment. All approved applicants recommended for hire will be screened for five years to be considered in any pending employment decision. All applicants shall have their name and other necessary identifying information submitted to the Central Registry for verification that they do not have a history of sex offenses and they are not required to register as a sex offender under any federal, state, or tribal law.

A. Applicants applying under Indian or Veteran preference must submit proper verification.
B. Applicants convicted of a felony are not disqualified solely based on the conviction, but require more careful and thorough review beyond that which is normally required of applicants. No person who is ineligible for employment under BIE standards will be employed by the School when an adjudication determination has been issued finding the applicant unsuitable for employment. The School Board reserves the right not to employ any person with a criminal history that the Board has determined presents a risk to the health and safety of students or employees, or a risk to the financial integrity of the School.
C. Applicants applying for fiscal positions must be bondable or insurable and able to meet other requirements for insurance purposes.
D. Applicants will only be considered for the position for which an application was submitted.
E. The applications must be complete. The Business Office or delegated personnel will notify applicants with an incomplete file in writing that they no longer qualify as an applicant for the designated position.

4. Human Resource Officer Responsibilities

A. Each personnel background checks will be adjudicated ASAP to verify continued employment.
B. Administration will be notified of Staff employees employment status.
C. American Horse School Resource Services will conduct criminal, credit and tax history background checks for Staff employees for applicable positions.
D. An offer to a current Staff employee for a position identified in the Policy Statement above is conditional until completion and review of a criminal history check. If the offer is withdrawn as the result of a background check the employee may appeal the withdrawal of the offer or the separation pursuant to the American Horse School problem grievance procedures.

5. Sanctions

Violations of American Horse School policies, including providing false or misleading information used for any of the above background checks, will be handled in accordance with applicable American Horse School policies and procedures; which may include corrective actions up to and including termination of employment; Violations of AHS staff handling confidential information or processing background checks, including adjudication will be handled according to AHS policies and procedures for staff discipline, which may include corrective actions up to and including termination of employment.

3.22 JOB INTERVIEWS

The Administrator or supervisor of prospective employees shall be included among persons who interview applicants.

Applicants may be required to attend a personal interview conducted by the American Horse School, who makes the final decision on hiring. Applicants will not be reimbursed for interview or moving expenses.

3.23 SELECTION

1. Any board member who is an immediate family member of an applicant or who has a conflict of interest shall be disqualified from the selection process. (Refer to AHS Nepotism and Conflict of Interest Policies) The School Board makes final decisions regarding selection and hiring and determines conditions of employment, including salary.
2. A candidate selected for employment by the School Board is issued a contract specifying overall contract provisions and references to all applicable policy.
3. Candidates will be drug tested within the same day of notification as a component of pre-employment screening.
4. The contract and attachments are in triplicate with copies provided to the employee, Administrator and their personnel file.
5. A copy of the position description is attached to the contract, which is reviewed by the Administrator, and candidate offered the position and signed by both to verify review of the document.
6. The contract specifies a timeline in which the candidate is offered employment and accepts the contract by signing and returning it to the Personnel Clerk. Failure to do this shall result in revocation of the offer.
7. All persons applying for positions will be notified by phone of their status within two (2) weeks after the date of selection. After one week of No Contact with individual the offer is null and void.
8. The individual selected will be notified by phone as to their selection, report date and employment offer.

3.24 PROBATION

All newly hired employees are required to complete ninety- (90) calendar day probation, beginning with their first day of employment at the school each year. The purpose of the

probationary period is to provide an adequate timeline in which to initially observe, evaluate and review employee performance in their work capacity at the school. The American Horse School Board may at their discretion extend an employee's probation period with conditions.

The School Board may terminate the employment of an employee at any time during the employee's probationary period without cause and without prejudice. Employees terminated during their probationary period do not have access to the grievance system and are not entitled to a hearing prior to termination.

The probationary employee's immediate supervisor is responsible for advising the Administrator if there is a problem during the employee's probationary period and for recommending continuing or termination of employment following the end of the probationary period.

The Administrator is responsible for notifying the employee of the decisions of the School Board regarding employment status, which may include probation extension following the initial ninety (90) day probationary period.

The American Horse School Board may extend the 90-day probationary period on an individual basis for cause.

The School Board can request and review evaluations and performance appraisals of probationary employees at their discretion.

3.25 STAFF ORIENTATIONS

Staff orientation will be provided with an in-service at the beginning the school year.

Each new employee shall receive a copy of their job description when they are hired.

The Administrator shall be responsible for ensuring that all employees of the school are provided an orientation to the personnel policies and procedures of the School Board, general work duties of the position, conditions of employment and their immediate supervisor. All employees must complete the following: the Federal Information Systems Security Awareness (FISSA) training and Suspected Child Abuse/Neglect (SCAN) trainings annually. Documentation certifying that employees completed these mandatory trainings shall be maintained in employee personnel files.

Each staff member shall sign the staff policy handbook agreement page in the back of the handbook declaring that he/she has been provided an orientation to listed items and that he/she has read and understands the personnel policies and procedures of the School Board and their specific job roles and responsibilities. This agreement shall be filed in the employee's personnel folder.

3.26 SALARY AND WAGES

Employee salaries shall be paid within the limits of the approved salary schedules and shall be determined annually by the School Board. The School Board establishes rates of pay for all

employees.

Salary increases for increased education and/or experience requires written documentation and will be reviewed annually by the Administrator and Fiscal Office for recommendation to the School Board for placement on the salary schedule.

Verification must be presented before contract starts for advancement and course work must be pertinent to the area the employee works in.

The following limitations are in place for teaching experience credit on the salary scale:
1. Teaching experience at the school will be accepted as full years of teaching.
2. Total teaching experience allowed from other schools for initial appointment shall not exceed four (4) years. This will pertain to new applicants. An applicant is considered new if they are not currently employed at the school or if they have been severed and not working at the school for a period of at least one (1) year.
3. Total teaching experience is capped at twenty-five (25) years.
4. Teachers must be certified.

Para Professionals are on their own salary scale:
1. Para Professionals must be certified.
2. Total work experience as a certified para professional shall not exceed four (4) years.

The following limitations are in place for non-instructional staff experience credit on the salary scale:
1. Employment experience at the school will be accepted as full years.
2. Total work experience allowed from work outside the school system for initial appointment shall not exceed four (4) years.

3.27 INSTRUCTIONAL CONTRACTS

Teachers sign a contract to work a specified number of days in return for a specific amount of pay as determined by their placement on the approved salary schedules.

Teacher Interns are given a letter to begin work on a certain date and employment is dependent on performance of duties. Any days missed without leave will be deducted on a daily rate basis. This is the daily rate multiplied by the number of days missed without leave to determine the deduction.

The teachers have the option to prorate pay over fifty-two (52) pay periods. Teachers are expected to finish a number of tasks during the school year prior to the end of the contract period, including; completing report cards, cumulative folders, classroom inventories, orders for supplies, textbooks, workbooks and returning all school provided resources. The teacher may be held financially responsible if materials and/or equipment is not returned or returned damaged.

All classrooms will be inspected at the beginning and end of the year. The Administrator, Custodian and Maintenance personnel will do this inspection. A checklist will be used to complete all items received in the classroom and the condition of the classroom.

3.28 SUPPLEMENTAL CONTRACTS

Every employee agrees to assume their share of duties incidental to the educational programs and extra-curricular activities is a continuing contract consideration of the School Board for all employees.

The School Board may issue supplemental contracts for job tasks and responsibilities, which exceed their daily and fulltime employment obligations for coaching and other identified functions. However, employees will ensure their basic contract obligations are complete prior to accepting payment for supplemental contract activities. This requirement is to avoid dual compensation and ensure duties are not adversely affected.

The School Board shall hire all extra-duty personnel and shall annually approve the extra-duty salary schedule.

The Athletic Director must be certified in first aid/care and prevention of athletic injuries.

Head Coaches and sponsors shall be required to document practices, fundraising activities, competitions and all other student involvement activities. Failure to document activities by the personnel charged with the responsibility for such activity may cause the School Board to stop final payment on the extra-duty contract.

Extra-duty personnel shall provide Administrator of scheduled activities (Activity Calendar) at least one (1) month or as soon as possible, prior to the activity, so teachers may plan accordingly with classroom schedules (Extra duty contract employee also sees section 3.18 types of employees).

Staff selected for an extra-curricular position, (eighth grade sponsor, 21st century Coordinator, coaches, etc.) must clearly communicate in writing, expectations and consequences related to student behavior with parents/guardians. As an extra-curricular staff, staff must be available to answer parent/guardian questions at all times.

Coaches may be required to complete a concussion awareness and protocol training prior to working with student athletes.

3.29 FRINGE BENEFITS

Unemployment Insurance, Workers Compensation, Social Security, Life Insurance, Burial Insurance, Dental Insurance, Federal Employee Health Benefits (FEHB), and Disability Insurance benefits will be provided to full-time employees. Retirement Program are offered as available options.

3.30 OVERTIME PAY/ COMPENSATORY TIME

1. All overtime or compensatory time must be approved by Administrator in writing in advance

of working such hours.

2. Maintenance, custodial, facilities and bus driver personnel are eligible for overtime pay when approved in advance at the rate of 1 1/2 times the rate of regular pay for actual hours worked over 40 hours in a workweek. This does not include paid leave taken.
3. All other hourly non-salaried personnel are eligible for compensatory time if approved in advance. Compensatory time must be used within thirty (30) days of the date the compensatory time was accrued unless approved in writing by the Administrator based on the best interests of the school in which case an extension of an additional 30 days to use compensatory time may be granted. Any compensatory time not used within time limit set forth within the time limit established within this section shall be lost. No compensatory time hours may be paid out at the end of the contract or carried over to a new contract year.
4. If any hourly non-salaried employee workweek exceeds 40 hours without prior approval the following steps will be enforced.
    A. 1st offense the employee will receive a verbal reprimand that will be issued by the Administrator.
    B. 2nd offense the employee will receive a written reprimand that will be issued by the Administrator.
    C. 3rd offense employee will be put on leave without pay for one week.
    D. 4th offense employee will be recommended for termination.

3.31 HEALTH EXAMINATIONS

All new employees, bus drivers, and certified staff of the school shall have a physical examination at their expense and every three (3) years thereafter, in accordance with OST Education Code, Section IV 400.05 and Health guidelines. This physical must be completed within ten (10) calendar days of their starting date of work and shall file such with the Personnel Clerk.

All employees must complete TB testing annually as required in accordance to guidance from OST Ordinance No. 14-29, The OST Education Code, Section IV 400.05.

Certain school employment positions may require personnel to complete a physical examination. These physical examinations maybe annual or bi-annual in accordance with State Accreditation and/or health guidelines.

School Bus drivers are required to meet the Department of Transportation physical examination requirements.

The School Board may establish specific health policies and/or mandates in direct results to emerging health related issues and priorities or pandemics.

3.32 TIME SCHEDULES AND ABSENCES.

1. The expectation of all employees is a willingness to do extra for the students and organization. All employees know what time they are to arrive and leave work. Lack of punctuality or attendance shows irresponsibility and lack of commitment to students and the organization. Individuals shall not be concerned with other employee's punctuality or

commitment. The Supervisor will determine work hours.
2. All employees will personally document their arrival and departure with the time clock (refer to policy on Time and Attendance).
3. All employees must provide an official doctor's statement when missing 3 consecutive days of work. School Board may approve special circumstances.
4. When three (3) consecutive days of work are missed without clocking in by shift time and the employee did not contact the supervisor to notify the supervisor of the absence, the employee has abandoned to job position and the employment is automatically terminated without further notice to the employee. There is no appeal or grievance permitted for a job abandonment.
5. Absence Without Leave (AWOL) and Leave Without Pay (LWOP) for more than three days in a School Year is serious misconduct and the Administrator may go directly to Step 4 in the PERSONNEL DISCIPLINE section – termination section. Supervisors needs to notify HR of these employee absences immediately. See Personnel Leave Section.
6. All employees must personally inform their immediate supervisor no later than one hour prior to their shift of absence from work.
7. Employees must provide notice of absence, as far in advance notice as possible so necessary arrangements can be made to cover the employee shift. Unless it is an emergency, employees should not communicate with supervisors between the hours of 9:30 PM and 5:30 AM.
8. Employees must speak to their supervisor or designee for your area in order to provide notice of absence or tardiness.
9. If your supervisor or designee is not available, you must speak to the person in charge that day and leave a message (email or text message or voicemail) with your supervisor.
10. When calling the front office **DO NOT** leave a message with whoever answers the phone.
11. All leave must be preapproved and signed by your supervisor before turning into payroll office.
12. Unless it is an emergency or directed by the School Board, supervisors should not communicate (texting, emailing, or calling) with employees between the hours of 6:30 PM and 5:30 AM on regular business days.
13. No AHS employee will be allowed to make up hours.

3.33 ASSIGNMENT

The Administrator shall assign employees to other duties with the employee preference being taken into consideration and after consultation with the employee and employee's immediate supervisor.

Staff may be assigned to specific duties and grade level placement by the Administrator provided he/she should consider the welfare of the students and the qualifications of the employee.

All employees of the school shall carryout those duties as assigned by proper school authorities or as provided by Tribal, State, or Federal law.

3.34 EVALUATIONS

The School Board as a factor in considering employee contract renewal or non-renewal shall use performance evaluations. Job performance will be evaluated for all personnel of the school. The

evaluation process is comprehensive and designed to develop the competencies of each employee. Employees must actively demonstrate their competency. The School will evaluate this through the actual documentation and completion of tasks.

1. *Employee Performance*

   A. If the performance of an employee is unsatisfactory, the supervisor shall outline in writing to the Administrator the specific problem(s) and request a conference be held concerning the employee.
   B. After the conference, the Administrator shall give in writing to the employee and supervisor, the specific tasks and timelines required of the employee to show improved performance.
   C. If no improvement is evident, the Administrator shall provide the employee with a second letter stating this fact and may look at recommending possible job termination to the School Board.

2. *Staff Evaluation*

Evaluations of all other employees shall be done by their immediate supervisor a minimum of one (1) time each contract period and shall consist of rating employees in areas such as quality of work; relationship with other staff, community and students; initiative; dependability; completion of tasks, attendance, etc. Supervisors must submit a mandatory an annual evaluation to the board on the staff / strengths and weakness.

3. *Teacher Evaluation*

   A. In accordance with Every Student Exceeds Act (ESSA) each teacher will be counseled as to his or her student's assessments.
   B. The supervisor shall do formal and informal employee evaluations at least twice (2) each year. The purpose of teacher evaluations shall be to assist them to develop their professional abilities through an assessment of their strengths and weaknesses.
   C. Evaluations/Conferences will be scheduled with the teachers and upon completion of the evaluation; the Supervisor will meet with the teacher within a timely manner to discuss results of the evaluation. The Supervisor shall make informal visits to the classroom of each teacher every semester to offer suggestions, give encouragement and compliment teachers whose efforts merit recognition.
   D. Academic performance on student assessments may be used when considering Teacher contract renewal.

4. *Administrator Evaluation*

The Administrator will be evaluated by January 31st.

3.35 CONTRACT RENEWAL/ TENURE

Certified Staff shall be offered re-employment notification no later than April 1st, unless the School Board determines later notification is in the best interests of the School. The employee shall notify the School Board in writing within five (5) days of notification whether or not they accept the re-employment offer. Failure to provide the School Board with such notification shall relieve the School Board of the continuing contract. The School Board may non-renew

employment with or without cause in the Board's sole discretion. There is no right to appeal or grieve a non-renewal decision.

The school may include special conditions to employee contract renewals as needed.

There are no tenure provisions at the school.

3.36 PERSONNEL LEAVE

There are specified forms of leave available to employees as set forth in this Section, all of which require advance approval by the requesting employee's Supervisor, and in some cases require approval of the Administrator as specified herein.

No leave shall be allowed during Orientation, the first two weeks of classes, or the last two weeks of school unless approved in advance by the Administrator. Denial of leave during such a period cannot be appealed and is not subject to this Personnel Policy. If prior leave arrangements have been made by an employee and the school dismisses early, the employee will not be charged for leave pre-approved for the time period in which school was discharged early.

Applications for leave must be made through established procedures and as far in advance as possible. All employees must receive prior approval for all leave requests, except in emergencies. Failure to receive approval in advance may result in assignment of Absent Without Leave (AWOL) status, and may result in personnel action, including termination.

At the discretion of the Administrator (or in the case of the Administrator the School Board President), Leave Without Pay (LWOP) may be granted to an employee for extreme emergencies. Leave without pay refers to unpaid leave and will be considered excessive after three (3) days have been granted, and will result in personnel action, including termination. Employees with accrued paid leave available shall not be granted LWOP approval.

There shall be no advance leave granted. Advance leave is defined as deductions from future leave not yet earned by the employee. As such, employees cannot accumulate negative balances of leave.

Personnel who take leave for a dual purpose such as for both a school and non-school related activity, such leave shall be leave without pay if the employee is compensated by another organization for the non-school related activity. If such compensation is less than the employee's salary, the school shall offset the balance and shall be made with appropriate documentation provided by the employee.

The Business Manager shall be responsible for submitting a leave report to the Administrator for School Board review prior to contract renewal decisions, reporting cumulative leave taken annually.

Personnel must obtain written approval of leave slips prior to taking any form of leave. For any employee who experiences an unforeseen medical issue or family emergency, the employee must contact the Supervisor as soon as possible to request leave directly by calling. Text messages,

emails or calls from third parties are not allowable. Employees who are sick must contact the Supervisor by the start of the School Day to obtain approval of sick leave. The Administrator shall obtain approval of Leave from the School Board President and may do so using DocuSign software or other form of electronic signature approved by the Business Office. **Any employee who does not seek and obtain written leave approval shall be considered Absent Without Leave (AWOL) and shall take Leave Without Pay (LWOP) for any hours not approved in advance and shall be subject to discipline under this Personnel Policy. Any employee who is AWOL who does not call or show up to work for three consecutive workdays shall be considered to have abandoned their job position and shall be terminated automatically. There shall be no grievance allowed for job abandonment.**

1. *Administrative Leave*

Full-time / permanent employees will be granted administrative leave by the Administrator (or designee) for emergencies and unforeseen events that affect school operations such as school closure or bad weather.

2. *Bereavement Leave*

Five (5) days of Bereavement Leave shall be granted to an employee for the death of an immediate family member, immediate family members are defined as: parent, grandparent, child, grandchild, spouse, or sibling, whether by blood, marriage, or adoption. Immediate family member shall also include all persons living within the household of the employee.

3. *Educational Leave*

Education leave can be granted for up to (4) hours per week, but only during an employees designated work day, and at the sole discretion of the Administrator. The Administrator has the authority to determines if granting educational leave is within the best interests of the School. Educational leave may on be granted during an employee's contract period.

The Employee must be on contract and have completed their 90-day probationary period. Employees that are not granted educational leave during their probationary period, may instead be granted leave without pay.

Leave is only granted if the classes and degree sought pertain to employees contracted duties, i.e. teachers-education degree, business office-business degree.

Employees will file keep records of attendance and enrollment with direct supervisor.

To be eligible to continue to qualify for Educational leave you must have passed previous semester of classes.

4. *Family Medical Leave*

Employees who have worked at AHS for one (1) year may be granted up to twelve (12) weeks of unpaid leave in any twelve (12) month period for the purpose of their own health condition(s) or the birth or placement for adoption or foster care of a child, or to care for a family member which is defined as child, parent or spouse who has a serious health condition. The School may require certification, on a periodic basis, of the continuing serious health condition by the health care

professional or a health care professional selected by the School. Employees may use accrued leave available during the twelve (12) week unpaid leave. Employees shall follow the provisions of the Federal Family and Medical Leave Act.

5. Jury Duty

Leave shall be granted to all employees duly called and accepted for jury duty. The school shall pay the difference between the amount they receive for such service and their regular salary.

To receive the difference in payment, the employee must submit a copy of the check/s or verification of payment amount to the fiscal office for proper calculations of payment.

If not selected for jury duty, the employee must contact his/her supervisor by noon or as soon as possible after notification of non-selection.

6. Military Leave

Employees shall be entitled to leave for ordered military duty with full employment, compensation and reinstatement rights as provided by law. An employee shall be allowed an approved leave of absence from his/her duties while performing such duty.

Military leave shall be used only while in the performance of ordered military duty or while reporting to and returning from such duty.

"Ordered military duty" means any military duty performed in the service of the United States or the State of South Dakota pursuant to orders issued by competent Federal or State authority, with or without the consent of the employee.

7. Personal Leave

Hourly wage employees accrue leave at the established rates which is (1) day of personal leave per month. Leave is defined as any period of extended absences during the employees regularly work hours that are approved by their direct Supervisor.

No leave can be transferred to another employee for any unused leave balances when an employee terminates employment. No leave can be carried to the next year.

Personal Leave for Certified Staff shall be ten (10) days per year.

Use of Personal leave during the probationary period is not permitted. Employees may carry forward to the next contract term up to five (5) days of unused personal leave. Any leave in excess of those five (5) days shall be used by the employee or it will be lost. The School Board, in its sole discretion, may approve payment of unused Personal Leave to employees at the end of the contract if the School Board determines that funds are available, and the payment is in the best interests of the School. The School Board may not approve payment for more than ten (10) days of personal leave per employee.

8. Professional Leave

The School Board may authorize professional leave for attendance of personnel at National, Regional, State or other meetings, conferences, and workshops without loss of pay. The Administrator shall be responsible for deciding which absences for professional leave will be allowed and take into consideration such factors as limitations for employing substitutes and payment for meals, travel and lodging, etc.

3.37 DAILY SCHOOL OPERATIONS

In absence of the Administrator, a designated staff will be assigned as the point of contact for all academic and curriculum and all behavioral issues at American Horse School. The Administrator will designate an acting Administrator in writing to all supervisors before absence from work. Such notification may be sent by text and/or email.

3.38 PROFESSIONAL ORGANIZATIONS

Employees have the right to form, join or participate in the activities or organizations of their choosing for the purpose of representation on matters of employee/employer relations.

Employees shall be represented on the appropriate employee relations committee with the School Board. The scope of the committee shall be related to terms and conditions of employment, employee/employer relations, etc.

3.39 PROFESSIONAL PUBLISHING

Employees are encouraged to write and prepare professional material for publication in their areas of expertise. Employees who prepare their own material on their own time without the use of school facilities, personnel or equipment are not required to submit such material for review prior to publication.

Employees who desire to copyright or patent and market material prepared partially or totally on school time, using school facilities, personnel, or equipment shall submit a copy of such material to the Administrator for review. The material shall be accompanied by the following information:

1. The names of persons who participated in the presentation of the material.
2. The percentage of duty time spent by these persons during preparation.
3. A statement as to whether royalties would be waived in any purchases of the material, which might be made by the school.

The School Board may authorize the sale of copies or reproduction rights to instructional material prepared by the school to other schools, organizations, or commercial firms. If the materials so produced are for the school, the school may choose to own the copyright. School personnel, students, or parents' names shall not be used without their prior approval.

3.40 REDUCTION-IN-FORCE (RIF)

A reduction-in-force (RIF) is defined as a situation whereby either a position no longer serves the mission or purpose of the AHS, or reductions in funding sources used to support a program have occurred, and staff reductions become necessary. The Board may lay-off an employee for any of the usual reasons for a RIF, or due to conditions that impede its ability to meet employee contract obligations. The Administrator shall notify all personnel in writing as to their job status in any RIF action taken by the Board. An employee laid off due to a RIF action may, if it meets the needs of AHS, be given priority in hiring for job vacancies for which they are qualified and if prior job performance was satisfactory. The position offered may be at a salary or under conditions which are less than the former position of the RIF'D employee. If a RIF'D employee is offered a position, and that RIF'D employee rejects it, then AHS shall not give the RIF'D employee priority consideration for any further positions. All personnel must keep the School informed of their current mailing address in order for them to be eligible for employment. Positions that have requirements to meet accreditation and grant requirements shall have priority.

3.41 CHAIN OF COMMAND

It is the intent of AHS to have effective and positive communication for all staff members with their respective supervisor. Therefore, any and all questions, suggestions, and/ or concerns must be communicated with the supervisor in accordance with proper chain of communication. Failure to follow the Chain of Command, to follow the personnel grievance process, or contacting School Board members directly without following the Chain of Command is serious misconduct and may result in disciplinary action up to and including termination of employment. Consultants and Contractors must follow the established Chain of Command. Consultants and Contractors do not have a right to utilize the grievance process and must address their grievances with the Administrator directly.

3.42 PERSONNEL DISCIPLINARY ACTION

The School Board expects all employees to comply with all school policies. Non-compliance with these policies shall be remedied. The School Board endorses a policy of progressive discipline in which it attempts to provide employees with notice of deficiencies and an opportunity to improve. It does, however, retain the right to administer discipline in any manner it sees fit.

1. Disciplinary procedures

Disciplinary procedures shall result from such occurrences as, but not limited to:

A. Failure to report absence from work;
B. Repeated absence from work;
C. Repeated tardiness to job assignment;
D. Failure to carryout assigned duties;
E. Insubordination;
F. Drinking alcoholic beverages or using drugs on the job;
G. Misuse of school materials or equipment;

H. Falsification of reports;
I. Use of corporal punishment with students;
J. Failure to provide adequate supervision of students.
K. School staff should not supply energy drinks of any kind to students during school related activities or on school premises.
L. Violation of AHS Code of Ethics.

Any violation is subject to any step in the procedure of discipline:

2. Personnel Reprimands

The following steps will be enforced for unexcused staff absences:

1. 1 time absent – verbal reprimands.
2. 2 times absent – 1 written reprimand, will be placed on suspension and go to the board
3. 5 times absent – will be recommended for termination.

3. Serious Misconduct

Immediate dismissal is warranted in the case of misconduct that results in serious damage to the school, equipment, personnel or students; misuse or embezzlement of funds.

4. Step 1 – Verbal Reprimand

If an employee violates AHS staff hand book, the supervisor shall take the following action:

A. Meet with the employee to discuss the matter.
B. Inform the employee of the nature of the problem and the action necessary to correct it.
C. Documentation indicating that the meeting has taken place shall be maintained in the employee's file.

5. Step 2 – Written Reprimand

If there is a second occurrence, the supervisor shall hold another meeting with the employee and take the following action:

A. A written reprimand will be issued to the employee with a copy provided to the Administrator.
B. The written reprimand shall include the reason(s) for the disciplinary action and the expected improvement and a timeline for improvement. The employee shall be warned that a third incident will result in more severe disciplinary action.
C. The employee may be placed on an Improvement Plan aimed at correcting negative employee actions and/or behaviors. The employee supervisor will present the Improvement Plan which must include a duration of time for approval to the Administrator. Once approved the employee Improvement Plan will be presented to the employee and a copy provided to the Human Resources Department. The duration of the employee Improvement Plan may not exceed the entire school year.
D. A copy of the disciplinary action shall be filed in the employee's personnel folder.

6. Step 3 – Suspension

If there is an additional occurrence, the supervisor shall hold another meeting with the employee and take the following action:

A. Recommendation for suspension made by the Administrator.

B. The Administrator shall issue a written suspension letter to the employee. The suspension letter shall include reason(s) for the suspension, length and dates of the suspension. The employee shall be warned that another incident will result in more severe disciplinary action.
C. A copy of the suspension letter will be filed in the employee's personnel folder.
D. Suspensions are for five (5) business days and are without pay.

7. Step 4 – Termination

If there are additional occurrences, the supervisor shall take the following action:

A. The School Board informed of the occurrence.
B. Documentation of all previous disciplinary actions shall be presented to the School Board.
C. The School Board shall examine all documentation to determine compliance with disciplinary steps and make a decision whether to proceed with termination of employment. Written notification will be given to employee pending the next school board meeting.
D. Written notification will be made to the employee pending a termination hearing with the School Board. The employee will be suspended without pay until the hearing. The letter will include the reason(s) for the disciplinary action, the date of the hearing, and advise the employee of the right to legal counsel and of the consequences for failure to appear at the hearing.
E. Employees who believe they have been disciplined too severely or without good cause may utilize the grievance procedure. Employees must appeal to the School Board within five (5) Working days.
F. After a disciplinary incident, if an employee does not have any further incidents as identified in the school policy, the employee's personnel records will be cleared of said disciplinary incidents that occurred within that contract year.

3.43 ALCOHOL/DRUG POLICY

1. Purpose

The Drug/Alcohol Policy is to ensure that the American Horse School is in compliance with the relevant State and Federal drug free workplace requirements and to ensure that these policies and procedures are in place to govern the handling of employees whose job performance problems are related to drug/alcohol use and to establish programs designed to prevent accidents and injuries resulting from the misuse of alcohol or use of controlled substances.

2. Policy

It is the policy of the American Horse School to provide a drug free work environment in which employees may safely perform their duties. Employees are required to report to work free of the influences of alcohol or drugs (unless medically prescribed and monitored) and shall not possess, sell or consume any illegal or non-prescribed drug or alcohol while performing his/her assigned duties on school property, to include work site, parking areas, vehicles or any site where school business is conducted. Violation of said policy shall be just cause for disciplinary action up to and including termination of employment. American

Horse School Board members will comply with all provisions of this policy.

3. *Policy Content*

The policy describes the American Horse School requirements and procedures for an observed alcohol and drug testing.

4. *References*

US Department of Transportation (DOT) as published in the Federal Register of February 15, 1994 and updated 02/26/2024 (49 CFR 40), and will include updated regulations, as they become available.

A. USDOT Office of Motor Carriers definitions.
B. American Horse School Disciplinary Policy.

5. *Provisions*

A. **Provisions** apply to: Administrators; supervisors; substitute staff; temporary staff; any other classification of employees; School Board Members, and Parent Advisory Committee (PAC) members. This also includes employees who drive school vehicles or a private vehicle while performing school business.
B. All American Horse School employees in safety-sensitive positions: The American Horse School Board has determined that all employees are employed in "safety-sensitive" positions.
C. All American Horse School Board members and all other boards or committees the School Board may establish.
D. Drug testing under **Provisions** will be conducted to determine the presence of drugs and/or alcohol as set forth by DOT guidelines.
E. All drug(s) testing under this policy shall be conducted on a non-discriminatory basis so that no employee is harassed or treated differently from other employees in similar circumstances.
F. The drugs tested for under Section **Provisions** shall include but not be limited to: Marijuana (THC metabolite), Cocaine, Amphetamines, Meth, Opiates (including heroin), and phencyclidine.
    a. Testing Site
        i Drug testing will be conducted at a designated place for observed collections.
    b. Procedure
        i Drug testing of employees to include CDL drivers will be conducted in the following circumstances:
            - Pre-employment testing;
            - Reasonable suspicion testing;
            - Post-accident testing;
            - CDL drivers/DOT/ transportation drivers must complete DOT guidelines specified alcohol and drug testing and random testing.

6. *Compliance*

Supervisors and employees will comply and/or ensure compliance with the general and specific provisions of this policy from the effective date forward. Failure to comply will

result in disciplinary action up to and including termination of employment.

A. Pre-Employment Testing:

   a. The American Horse School shall conduct an observed Pre-Employment Testing for alcohol and drug use by all prospective employees, by designated personnel.
   b. Any applicant testing positive for alcohol and/or drugs, or who refuses to be tested for alcohol and/or drugs, shall not meet the minimum requirement for employment and the offer of employment shall be withdrawn.

B. Random Testing for CDL/DOT and Transportation Specific drivers-Alcohol:

   a. An employee shall only be tested for alcohol while performing an American Horse School function or any safety-sensitive function, or just before the employee performs American Horse School function or a driver performs a safety-sensitive function, or just after the employee performs an American Horse School function.
   b. Random alcohol testing shall be conducted in accordance with the following requirements:
      i A minimum annual rate of twenty-five (25) percent of the average number of American Horse School positions.
      ii Tests shall be unannounced and spread reasonably throughout the calendar year.
      iii Upon notification, the employee shall proceed immediately to the testing site.
   c. Employees who have any alcohol concentration (defined as 0.02 or greater but less than 0.04) are not permitted to perform an American Horse School function or a safety- sensitive function until a minimum of eight (8) hours.
   d. An employee who refuses to consent to testing will be terminated immediately.
   e. Any employee testing positive for alcohol will be terminated from American Horse School employment immediately.
   f. After notification of a random sampling, staff being sampled cannot leave the area of the testing site.

C. Random Testing for CDL/DOT and Transportation Specific drivers - Controlled Substance

   a. Random controlled substance tests may be administered anytime the employee is on duty, just prior to on duty, or just after performing duty.
   b. Random Controlled Substances testing shall be conducted as follows:
      i A minimum annual rate of twenty-five (25) percent of average number of American Horse School positions for employees.
      ii Tests shall be unannounced and spread reasonably throughout the calendar year.
      iii Upon notification, the employee selected shall proceed immediately to the testing site.
   c. An employee who has a confirmed positive drug test result will result in termination of employment.
   d. An employee who refuses to consent to testing or refuses to comply with required rehabilitation will be terminated immediately.
   e. After notification of a random sampling, staff being sampled cannot leave the area of the testing site and must provide a sample within three (3) hours of notification.

D. Reasonable Suspicion Testing**:**

American Horse School shall require all employees to submit to an alcohol or controlled substance test when the employer has reasonable suspicion to believe that an employee has violated the Alcohol/Drug policy. The employer's observations must be made according to supervisory training guidelines and documented accordingly. Observations must be made during, just before, or just after the employee performs any American Horse School safety-sensitive function. Tests shall be administered within two (2) hours and no longer then eight (8) hours after any reasonable suspicion referral.

E. Post-Accident Testing

a. Post-Accident Testing will be conducted within (2) hours, when an employee driving an American Horse School vehicle for business, receives a citation under State or local law for a moving traffic violation arising from an accident were there is a fatality, injury treated away from the scene, or where the vehicle was required to be towed from the scene.
b. Post-Accident Testing will be conducted as soon as practicable following an accident involving a school vehicle or private vehicle while performing American Horse School business. Each employee driving shall be tested for alcohol and controlled substances no later than two (2) hours for alcohol test and eight (8) hours for controlled substance test., Employee(s) involved in accident must report to the nearest clinic that can perform.
c. Drug and alcohol tests are at the expense of American Horse School. The Employee cannot return to driving or work duties until the Administrator or proper personnel receive the results of the tests and all test(s) must all be negative.

F. Personnel Disciplinary Procedures:

a. Employees who endanger the life, health or safety or students, staff, parents or others while under the effects of alcohol or illegal drugs will be subject to the immediate termination of their employment.
b. Any employee convicted of the selling, distributing, dispensing, possession, manufacture and/or use of alcohol or illegal drugs by the school personnel within school quarters, facilities, grounds or vehicles will subject the employee to immediate termination of employment. Any employee that is charged with said offenses will be suspended without pay until the judicial process is concluded. This will include housing quarters.
c. The selling, distributing, dispensing, possession, manufacture and/or use of alcohol or illegal drugs by any person within the school quarters, facilities, grounds or vehicles will be reported to proper authorities with the Oglala Sioux Tribe Public Safety Program.
d. Any employee who refuses to consent to any Alcohol/Drug testing listing in this policy will be terminated from American Horse School employment immediately and be ineligible for employment for one (1) year.
e. Any employee testing positive for alcohol will be terminated from American Horse School employment immediately.
f. Future employment will be consistent with DOT guidelines.
g. At any school related or school sponsored activity the Administrator or his or her designee is authorized by the American Horse School Board to notify appropriate law

enforcement officials if any American Horse School staff member appears to be in violation of this policy.

G. American Horse School Board Members and Other American Horse School Committee Members Disciplinary Procedures:

Should any American Horse School board member's/school committee members be suspected of being under the influence of alcohol or drugs during a board/committee meeting, the board/Committee shall immediately go into executive session to discuss the situation with the member and rules of the American Horse School Drug and Alcohol policy will apply. A police officer shall be summoned to do a PBT (Breath Test) or a UA and should the test results prove positive, such Board member/Committee member shall be requested to automatically submit his/her resignation.

3.44 SUSPENSIONS

The immediate supervisor recommends to the Administrator any suspension of an employee.

The Administrator may suspend any employee for violation(s) identified within and in the absence of any written policy, the AHS Policies and Procedures.

Disciplinary suspensions will be no longer than five (5) workdays and the suspension will be instituted as leave without pay (LWOP). The supervisor is responsible for informing the employee of the reason for the suspension.

An employee may also be placed on suspension with or without pay pending the results of an investigation for any Child Abuse or neglect allegation requiring filing of a SCANS report, or for any alleged criminal activity whether the alleged crime occurred in the workplace or outside of the work place, that if confirmed, would result in the employee's ineligibility for employment.

Disciplinary suspension may be appealed under the School Personnel Grievance procedures. Suspension pending completion of investigation cannot be appealed or grieved.

3.45 TERMINATION OF EMPLOYMENT

The American Horse School Board may dismiss an employee as a result of disciplinary action taken against the employee. Full time employees can only appeal dismissal through the grievance system.

Any employee that is terminated may be held financially responsible if materials and/or equipment is not returned or returned damaged.

Employees that owe any debt(s) to the school are not eligible for re-employment until said debt(s) is resolved.

The American Horse School Board may dismiss an employee for cause before the expiration of their contract term. However, the School Board may immediately dismiss any employee for any

of the following reasons:

1. Immoral conduct as set by community standards, conduct unbecoming a professional employee which requires the immediate removal of the professional employee from his/her duties; or,
2. Failure without justifiable cause to perform contract duties, insubordination after a reasonable written notification; or,
3. Gross inefficiency which the professional employee has failed to correct after reasonable written notice; or,
4. Conviction of a felony; or,
5. Use of corporal punishment.

3.46 RESIGNATIONS

Any employee, other than a certificated employee, wishing to resign from his/her position shall give written notice to the American Horse School Board ten (10) working days prior to leaving their duties.

Any certificated employee wishing to terminate a contract for good cause shall give written notice to the American Horse School Board thirty (30) calendar days prior to leaving their duties.

Within five (5) working days of such notification, the American Horse School shall issue a written statement signed by the School Board President to the employee stating whether or not they agree to release of the contract.

Any certificated employee who breaks a signed contract and does so without the consent of the School Board may have his/her certificate suspended and/or pay a five percent (5%) penalty of their total contract amount to the School.

Any employee that resigns may be held financially responsible if materials and/or equipment is not returned or returned damaged.

Employees that owe any debt(s) to the school are not eligible for re-employment until said debt(s) is resolved.

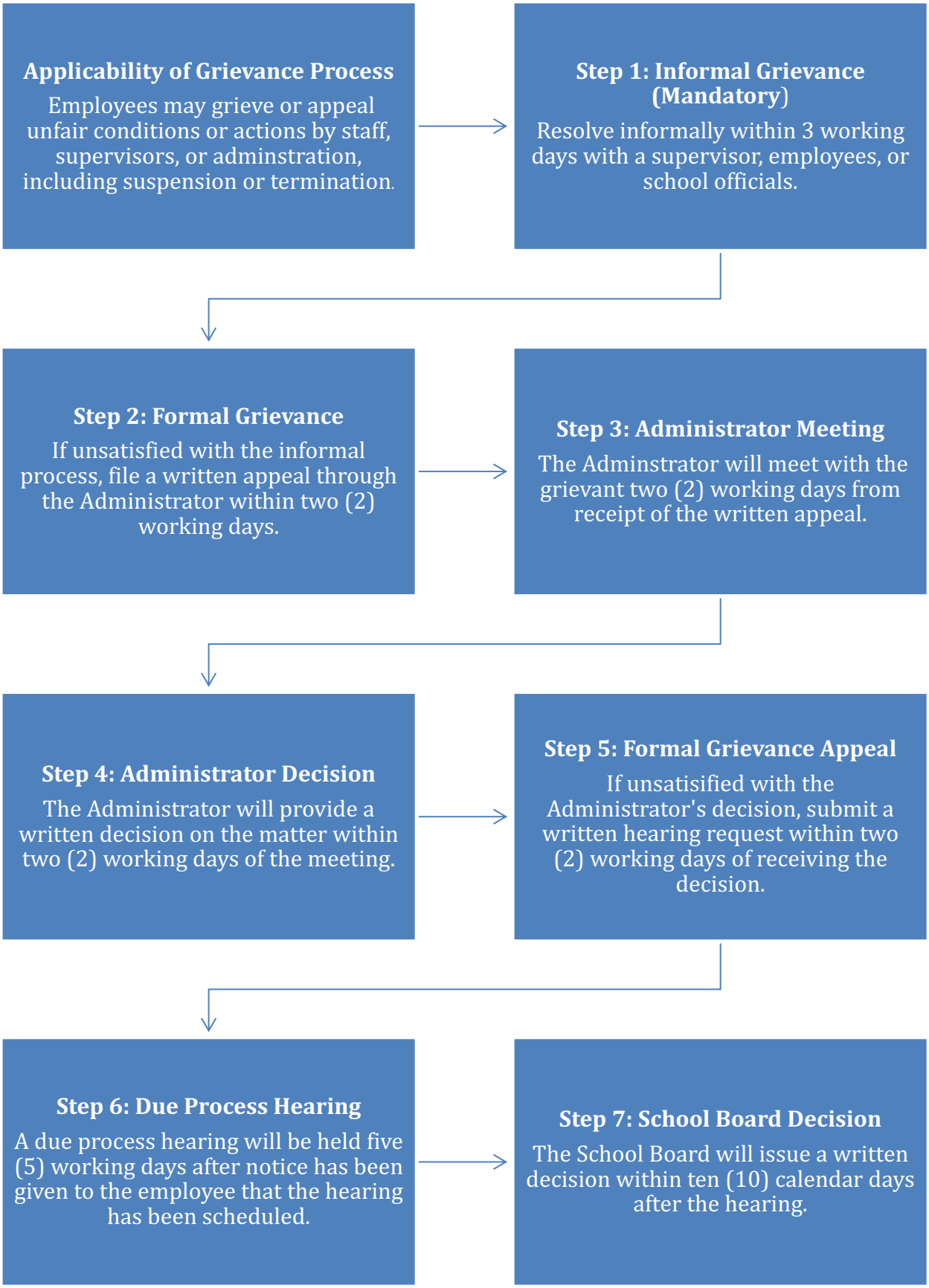
3.47 GRIEVANCE PROCEDURES-DUE PROCESS HEARING

1. Employees have the right to appeal or grieve what they may consider an unfair condition or action caused by a staff member, immediate supervisor, or other administrator, including personnel disciplinary actions of suspension or termination of employment. Verbal and written reprimands may not be grieved. An employee may file a written statement of disagreement which shall be filed in the personnel file for any verbal or written reprimand.
2. The following procedures have been established by the School Board to provide employees with a system for resolving grievances through a process, which causes the least disruption to normal school activities. The listed procedures have been established with the understanding that a representative at any level of the procedure may assist the employee. It is further established that failure of an employee to follow established employee grievance procedure may result in the recommendation of the employee's dismissal.

3. Failure to present grievances within the timelines allowed shall result in waiving the grievance and an employee grievance will be dismissed in writing as untimely. The purpose of this requirement is to provide swift resolution to grievances so that the employee and the School may focus on the well-being of students.
4. During any step of the grievance procedure, the grievant is to participate in interviews, consultations, etc., in such a manner as to not interrupt their daily job task and responsibilities.
5. **Non-renewal of employment contract is not a grievance matter.**
6. **Informal Grievance Procedure.** The grievant will informally attempt to resolve the grievance in a private, non-disruptive manner with their immediate supervisor, fellow employee(s), or school official with whom the grievant has an issue or concern within three (3) working days of the date of the incident(s) giving rise to the grievance. Employees grieving alleged sexual harassment or physical assault are not required to complete this step and may file a formal grievance immediately.
7. **Formal Grievance Procedures:**
   A. If the grievant is not satisfied with the outcome of informal procedures, the grievant may file a signed written appeal through the Administrator within two (2) working days of the completion of informal procedures. The appeal must state the specific decision, policy, procedure or action with which they have a concern, the date of the incident and suggestions for remedy. If the employee is grieving a personnel disciplinary action issued by the Administrator, the employee will file under Step IV of this process.
   B. The Administrator will meet with the grievant within two (2) working days from receipt of the written appeal to discuss the matter and attempt to resolve the grievance or issue.
   C. The Administrator will provide the grievant with a written decision on the matter within two (2) working days of the meeting.
   D. If the grievant is not satisfied with the decision of the Administrator, the grievant may file a formal request for a due process hearing with the School Board. The request must be in writing, submitted to the Administrator within two (2) working days of the grievant receiving the written decision from the Administrator.
   E. Based upon the information presented, in a due process hearing, the School Board will issue a final decision on a matter or issue. The decision of the School Board shall be final and it not appealable to any court or other governmental body.

SECTION 3.47: GRIEVANCE PROCEDURES FLOW CHART FOUND ON THE FOLLOWING PAGE

SECTION 3.47: GRIEVANCE PROCEDURES FLOW CHART



3.48 DUE PROCESS HEARING

1. The hearing shall be held not less than five (5) working days after notice is actually given to an employee, unless there are justifiable reasons for a more expeditious hearing.
2. Hearing Officer: The hearing officer will control the proceedings. The School Board President may be the Hearing Officer, or the School Board may designate the school's legal counsel or another person to act as the Hearing Officer in its discretion. He/she will take whatever action is necessary to ensure an orderly, equitable, and expeditious hearing. All parties will abide by the presiding official's rulings. The presiding officer shall:
   A. Regulate the course of the hearing;
   B. Limit the number of witnesses when testimony would be unduly repetitious;
   C. Exclude any person from the hearing for contemptuous conduct or misbehavior that obstructs the hearing.
3. School Administrator: The Administrator shall be present during the hearing, even if the charges were initiated by a complaint filed by a private individual.
4. Employee: The employee shall be present for the entire hearing and his/her representative or attorney may represent him/her during the proceedings.
5. Attorneys: Either party may have an attorney present to assist in the presentation of matters to the School Board at their own expense. The employee must inform the American Horse School Board five (5) working days prior to the scheduled meeting if their attorney will be present at the meeting.
6. **Conduct of the Hearing**
   A. Review of files: At any point after receiving written notice of an employee action of suspension or complaint seeking termination, the employee has the right to review his/her file held by the Administrator by scheduling a visit to the school office during regular working hours.
   B. List of Witnesses; Five (5) working days prior to the hearing, the employee and the Administrator shall submit to the School Board President, a list of witnesses each intends to call at the hearing, the approximate length of their testimony, and the subject matter and relevance of their testimony. The school secretary shall there upon notify the witnesses and request that they appear for the hearing.
   C. Request for Documents: The employee shall, no later than three (3) working days prior to the hearing, provide the Administrator with a list of items he/she wishes to have produced and the relevance of each. The Administrator shall try to obtain all relevant items listed as well as items needed by him/her.
   D. Postponements: Any request for a postponement of the hearing must be submitted in writing to the School Board President no fewer than three (3) working days prior to the hearing. If the Administrator and the employee mutually submit a request for a postponement may be submitted at any time.
   E. Record of the Hearing: The School Board shall have the hearing recorded and shall retain this record for no less than one (1) year after the hearing.
   F. Prohibition against Reprisals: All parties shall have the right to testify on their own behalf without fear of reprisal. All witnesses shall be permitted to testify without reprisals or repercussions.
   G. Starting time: The hearing shall be opened promptly at the time specified by the School Board.
   H. Opening Statements: Both parties will be afforded the opportunity to present opening

statements as to what they intend to prove at the hearing.

I. Order of Proceeding: In the case of personnel discipline, the Administrator will present their case first. In all other cases the complainant will present their case first.
J. Examination/Cross-Examination: Both parties may examine and cross-examine friendly and hostile witnesses. However, no harassment or efforts to intimidate witnesses shall be permitted. School Board members may examine witnesses at any point in their testimony.
K. Irrelevant Testimony: Parties may object to clearly irrelevant material, but technical objections to testimony as used in a court of law will not be entertained. The School Board shall prohibit any testimony that it deems clearly irrelevant in order to keep control of the hearing. Written Testimony: Written testimony will be admitted into evidence during the hearing only when a witness cannot appear in person. The party will obtain such testimony by means of an interrogation. The witness under oath must sign the interrogatory and answer and his/her signature must be notarized or witnessed by two (2) unrelated persons. When for reasons satisfactory to the School Board, an interrogatory cannot be used, and affidavit or a deposition from the witness may be used.
L. Documents and Exhibits: Documents and exhibits will be received if they are relevant and if they are reliable evidence as determined by the School Board President. Technical rules of evidence will not be the sole basis to admit or deny documents or exhibits.
M. Closing Statement: Closing statement for each party will be permitted. The Administrator or complainant shall proceed first.
N. Audience: The hearings shall be closed to the public. The School Board may remove any person who disrupts the hearing or behaves in an inappropriate manner.
O. Decision: The decision shall be in writing and issued with ten (10) calendar days after the hearing and shall be final. The decision shall consist of:
    a. The facts;
    b. The finding of violation or no violation on each charge filed by the Administrator or complainant,
    c. The orders and/or sanctions imposed, if any.

3.49 SUBSTITUTE TEACHERS/EMPLOYEES

The Business Office or delegated personnel shall collect applications from individuals who are interested in substitute teaching and who have completed an application for employment. The Business Office or delegated personnel shall interview and submit a list of candidates to the School Board for consideration and maintain a current list of the approved substitutes. Substitute teachers shall be selected from this list during the academic year. Substitutes shall undergo a minimum of one day of training and orientation prior to teaching and abide by all school policies and expectations during the time they teach.

The Administration shall monitor the work performance of substitutes and recommend any candidate to be removed from the list for any and all individuals who fail to abide by policies or performance expectations. The minimum qualifications for substitute teachers shall be a high school diploma or GED Certificate. But preference shall be given to individuals who are certified to teach. Unless provided for in salary scales, the School Board shall establish pay rates annually.

3.50 STUDENT TEACHERS

The American Horse School Board may, by agreements with teacher preparation institutions, arrange for classroom experience in the school for practice of student teachers that have completed not less than two years of an approved teacher education program. A fully qualified teacher under rules promulgated by the American Horse School Board shall provide such practice teaching with appropriate supervision.

3.51 CODE OF PROFESSIONAL ETHICS

1. All employees of American Horse School will demonstrate the highest professional ethics toward the school board and other staff members. Ethics will include but not be limited to:
   A. Loyalty
   B. Dedication
   C. Moral Responsibility
2. Zero tolerance for violence in the workplace/school zone will apply according to Federal Violence in the workplace.
3. Teachers are required to submit student attendance within the NASIS system as soon as possible, but no later than ninety (90) minutes after the school day begins
4. **Obligations to students:** In fulfilling their obligations to students, educators shall:
   A. Not without just cause shall 1) restrain students from independent action in their pursuit of learning and 2) shall not without just cause deny to the student's access of varying points of view.
   B. Not deliberately suppress or distort subject matter for which they bear responsibility.
   C. Maintain adequate discipline in accordance with the AHS Student Handbook, and order in the classroom, and the school system to protect the students from conditions harmful to learning, health, and safety. Conduct professional business in such a way that they do not expose the students to unnecessary embarrassment or disparagement.
   D. Not for reasons of race, color, creed, sex, national origin, marital status, political affiliation, or family, social or cultural background, exclude any students from participation in or deny them benefits under any program, nor grant any discriminatory consideration or advantage.
   E. Not use professional relationships with students for private advantage.
   F. Keep in confidence information that has been obtained in the cause of professional services, unless disclosure serves professional purposes or is required by law.
   G. Not tutor students for renumeration except, when arranged and compensated through AHS.
   H. Shall maintain professional relationships with students in a manner which is free of vindictiveness and recrimination.
   I. If an employee displays any acts of severe depression; out breaks of mental instability the employee's/staff personnel will immediately notify the administration.
   J. To follow all core curriculums set up by the AHS board.
   K. Staff is responsible for NASIS and meet quarterly to review hard copy of teacher's attendance.
   L. Abide by professional standards, dress for your position
   M. Shall maintain a clean well-groomed appearance with appropriate personal hygiene.
   N. Shall maintain professional, objective, and appropriate boundaries with students at all

times and in no instance compromise student safety, violate professional boundaries, or engage in other such conduct that may constitute "grooming." Grooming is defined as a deliberate pattern of behavior used by an adult to gain access, built trust, and lower a student's inhibitions for the ultimate purpose of emotional, romantic, or sexual exploitation and/or prepare the child for future sexual abuse or exploitation. Grooming can occur in person, through a third party, or via digital or electronic communication (cyber-grooming).

5. **Obligations to the public**: In fulfilling their obligations to the public, educators shall:
   A. Not misrepresent an institution or organization with which they are affiliated, and shall take adequate precautions to distinguish between their personal, institutional or organizational views.
   B. Not knowingly distort or misrepresent the facts concerning educational matters in direct and indirect public expressions.
   C. Not interfere with a colleague's exercise of political and citizenship rights and responsibilities.
   D. Not use institutional privileges for private gain or to promote political candidates or partisan political activities.
   E. Accept no gratuities, gifts, or favors that might impair or appear to impair professional judgment, nor offer any favor, service, or thing of value to obtain special advantage or monetary gain.
   F. Violence in the workplace will not be tolerated.
   G. Professional decorum.
6. **Obligations to the professions:** In fulfilling their obligations to their profession, educators shall:
   A. Accord just and equitable treatment to all members of the profession in the exercise of their professional rights and responsibilities.
   B. Shall not create discord (incite, cause, or create drama, gossip, etc.) among employees.
   C. Not use coercive means or promise special treatment in order to influence professional decisions of colleagues.
   D. Withhold and safeguard information acquired about colleagues in the course of employment, unless disclosure serves professional purposes.
   E. Not misrepresent their professional qualifications.
   F. Not knowingly distort evaluation of colleagues.
   G. Not disparage, bully a colleague before others not criticize a colleague before students.
   H. Not represent an unprofessional appearance, i.e.; no hickeys or other unprofessional marks on person and/or visible to students.
7. **Obligations to professional employment practice**: In fulfilling their obligation to professional employment practices, educators shall:
   A. Apply for, accept, offer, or assign a position or responsibility on the basis of professional preparation and legal qualifications.
   B. Apply for a specific position only when it is known to be vacant, and shall refrain from underbidding or commenting adversely about other candidates.
   C. Not knowingly withhold information regarding a position from an applicant or misrepresent an assignment or conditions of employment.
   D. Give prompt notice to the employing agency of any change in availability of service; and the employing agency of any change in availability.

E. Adhere to the terms of a contact or appointment unless the contract has been legally terminated, voided or substantially altered, without prior consultation with the affected parties.
F. Conduct professional business through channels that have been developed and approved by the employing agency when available.
G. Not delegate assigned professional responsibilities to unqualified personnel.
H. Permit no commercial exploitation of their professional position.
I. Social Networking – Any employee participating in any and all social networking with negative and malicious intent on the stakeholders, curriculum, and policy of AHS will have to meet with the board for possible termination.
J. Personal electronic Device Usage – Personal electronic devices (cellular phones, headphones, smart watches, iPads, tablets, etc.) shall not be used by employees in a manner that disrupts, hinders, or degrades employee performance and/or school operations. Personal electronic devices are not to be used by staff unless they are approved personnel. Personal electronic devices SHALL not be used during instructional time.

3.52 EQUIPMENT AND SUPPLIES MANAGEMENT

General classroom supplies can be obtained from the supply personnel.

3.53 EQUIPMENT AND SUPPLY RECORDS

The school administration shall ensure that proper records are kept on all textbooks, materials, supplies and equipment owned by the school. Records shall include records of issuance of such times to individual teachers and teacher records of issuance to students.

Teachers shall at least once a year make a careful inspection and inventory of textbooks and permanent supplies in use by students.

Teachers, other employees and students shall be held responsible for items that have been issued for their use and may be requested to replace damaged of stolen items at their expense.

All school owned equipment for extra-curricular activities shall be issued at the beginning of each season and returned at the end of each season and complete records shall be kept on all such equipment.

Property of the school shall not be loaned to staff or any other individual or group unless an official receipt is signed the borrower. A deposit of $50 may be required as determined by the Administrator or school board. All equipment shall be signed / checked out at the fiscal office.

All teachers are responsible for completing activities at the close of the school term inclusive of grade reports, grade books, attendance books, keys, cumulative folders, inventory, classroom cleaning, and other assigned activities prior to receiving final contract payment for the school term.

3.54 SMOKE FREE ENVIRONMENT

The American Horse School Board, in order to protect children under the age of twenty-one (21) from exposure to environmental tobacco smoke, does hereby prohibit smoking and/or vaping at any time, by anyone, on campus, within any school facilities and/or property (school vehicles).

3.55 DRUG FREE WORKPLACE

It is the policy of the American Horse School Board to provide a drug free environment. It is unlawful to sell, distribute, dispense, possess, manufacture, and/or use of alcohol, vaping, or illegal drugs by any person on campus or within any school facilities and/or property (school vehicles).

Any employee who is convicted of a violation of a criminal drug law statute occurring in the workplace or who admits in a court of law to the commission of such a drug law violation may be subject to appropriate disciplinary action, up to and including termination of employment.

Conviction means finding the guilt including a plea of no contender of imposition of sentence.

3.56 SEXUAL HARASSMENT

The School Board will provide staff with a pleasant environment that encourages efficient, productive and creative work. Sexual harassment is illegal, unacceptable and will not be tolerated during school hours or at school sponsored activities. No employee of the school may sexually harass another employee or employee will be subject to disciplinary action, including possible termination of employment for violation of this policy.

1. *Definition*:
   Threatening or insinuating, either explicitly or implicitly, that an employee's refusal to submit to sexual advances will adversely affect:
   A. The employee's employment endeavors and shall be considered sexual harassment. Other sexually harassing conduct in the school system is prohibited and includes:
   B. Unwelcome sexual flirtations, touching, advances or proposition;
   C. Verbal abuse of a sexual nature, jokes or stories;
   D. Graphic or suggestive comments about an individual's dress or body;
   E. Sexually degrading words to describe an individual; and
   F. The display of sexually suggestive objects or pictures, including photographs.
   G. Sexual harassment is not limited to problems involving male/female relationships; it may involve individuals of the same gender.

2. *Responsibility*

   Board members and employees are responsible for maintaining a working and learning environment free from sexual harassment. In-service training will be provided at the beginning of each school year by the administration to explain this policy and law.

3. *Procedures*

   A. Any employee who believes he/she has been a victim of sexual harassment by another employee on school premises, during school hours or school related activities should

promptly report the incident.

B. An employee should also report to immediate Supervisor any incidents of sexual harassment.
C. Careful scrutiny will be undertaken of all allegations of sexual harassment. All reported incidents will be investigated within seventy-two (72) hours. Findings will result in:
D. No action taken (complaint unfounded),
E. A hearing scheduled with the Board for possible termination of employment.
F. Any employee who has been disciplined under this policy and is dissatisfied with the results may utilize the appropriate grievance procedure.
G. False allegations that are malicious or ill-founded may constitute libel or slander.

3.57 TITLE IX PROCEDURES

The School Board will provide staff with a pleasant environment that encourages efficient, productive and creative work. Sexual harassment is illegal, unacceptable and will not be tolerated during school hours or at school sponsored activities. No employee of the school may sexually harass another employee or employee will be subject to disciplinary action, including possible termination of employment for violation of this policy. Definitions specific to this section are included in Appendix 3-A Title IX Definitions.

DESIGNATION OF COORDINATOR; NONDISCRIMINATION POLICY; GREIVANCE PROCEDURES; NOTICE OF NONDISCRIMIATION; TRAINING; STUDENTS WITH DISABILITIES; AND RECORDKEEPING

Designation of a Title IX Coordinator

A. AHS designates and authorizes Human Resources Director as the Title IX Coordinator to ensure compliance with AHS's responsibilities under Title IX.
B. As appropriate, AHS may delegate, or permit a Title IX Coordinator to delegate, specific duties to one or more designees.

Adoption, publication, and implementation of nondiscrimination policy and grievance procedures

C. Nondiscrimination policy**.** AHS does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, including employment, as required by Title IX. AHS hereby adopts, publishes and implements this policy in furtherance of AHS's compliance with the federal requirements of Title IX.
D. Grievance Procedures**.** AHS also adopts, publishes, and implements grievance procedures consistent with the requirements of Title 34, Subtitle B, Chapter I, Part 106, § 106.45, and if applicable § 106.46, that provide for the prompt and equitable resolution of complaints made by students, employees, or other individuals who are participating or attempting to participate in the recipient's education program or

activity, or by the Title IX Coordinator, alleging any action that would be prohibited by Title IX or this part.

Notice of Nondiscrimination

A. AHS does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, including employment, as required by Title IX.
B. Any inquiries about Title IX may be referred to AHS Title IX Coordinator, the U.S. Department of Education's Office for Civil Rights, or both. AHS's Title IX Coordinator is the Human Resources Director and can be reached at 605-455-1209.
C. To report information about conduct that may constitute sex discrimination or make a complaint of sex discrimination under Title IX, please contact the Human Resources Director/Title IX Coordinator; a reporting form will also be available online on the School's website.

Training

AHS shall provide all persons listed below with training related to their duties under Title IX promptly upon hiring, or with a change of position that alters their duties under Title IX, and on an annual basis.

A. **All employees.** All employees shall be trained on:
    a. AHS's obligation to address sex discrimination in its education program or activity;
    b. The scope of conduct that constitutes sex discrimination under Title IX and this part, including the definition of sex-based harassment; and
    c. All applicable notification and information requirements under 34 C.F.R. §§ 106.40(b)(2) and 106.44.
B. **Investigators, decisionmakers, and other persons who are responsible for implementing the recipient's grievance procedures or have the authority to modify or terminate supportive measures.** In addition to the training requirements in paragraph D(1) above, all investigators, decisionmakers, and other persons who are responsible for implementing AHS's grievance procedures or have the authority to modify or terminate supportive measures under 34 C.F.R. § 106.44(g)(4) shall be trained on the following topics to the extent related to their responsibilities:
    a. The AHS's obligations in its response to sex discrimination pursuant to 34 C.F.R. § 106.44;
    b. AHS's grievance procedures required under 34 C.F.R. § 106.45, and if applicable 34 C.F.R. § 106.46;
    c. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias; and

d. The meaning of the term "relevant" in relation to questions and evidence, and the types of evidence that are impermissible regardless of relevance under 34 C.F.R. § 106.45, and if applicable 34 C.F.R. § 106.46.

C. **Facilitators of informal resolution process.** In addition to the training requirements in paragraph D (1) above, all facilitators of an informal resolution process under 34 C.F.R. § 106.44(k) shall be trained on the rules and practices associated with AHS's informal resolution process and on how to serve impartially, including by avoiding conflicts of interest and bias.

D. **Title IX Coordinator and designees.** In addition to the training requirements in paragraph D(1) through (3) above, the Title IX Coordinator and any designees under paragraph (A) of this section must be trained on their specific responsibilities under paragraph (A) of this section, 34 C.F.R. §§ 106.40(b)(3), 106.44(f) and (g), AHS's recordkeeping system and the requirements of paragraph (F) of this section, and any other training necessary to coordinate AHS's compliance with Title IX.

2. *Students with disabilities***.**

If a complainant or respondent is an elementary or secondary student with a disability, the Title IX Coordinator shall consult with one or more members, as appropriate, of the student's Individualized Education Program (IEP) team, 34 CFR 300.321, if any, or one or more members, as appropriate, of the group of persons responsible for the student's placement decision under 34 CFR 104.35(c), if any, to determine how to comply with the requirements of the Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.,* and Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794, throughout the recipient's implementation of grievance procedures under § 106.45.

Recordkeeping.

A recipient must maintain for a period of at least seven years:

A. For each complaint of sex discrimination, records documenting the informal resolution process under 34 C.F.R. § 106.44(k) or the grievance procedures under 34 C.F.R. § 106.45, and if applicable 34 C.F.R. § 106.46, and the resulting outcome.

B. For each notification the Title IX Coordinator receives of information about conduct that reasonably may constitute sex discrimination under Title IX or this part, including notifications under 34 C.F.R. § 106.44(c)(1) or (2), records documenting the actions AHS took to meet its obligations under 34 C.F.R. § 106.44.

C. All materials used to provide training under paragraph (D) of this section. AHS must make these training materials available upon request for inspection by members of the public.

Complaints

A. The following people have a right to make a complaint of sex discrimination, including complaints of sex-based harassment, requesting that AHS investigate and make a determination about alleged discrimination under Title IX:
    a. A "complainant," which includes:
    b. a student or employee of AHS who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX; or
    c. a person other than a student or employee of AHS who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX at a time when that individual was participating or attempting to participate in AHS's education program or activity;
    d. A parent, guardian, or other authorized legal representative with the legal right to act on behalf of a complainant; or
    e. AHS's Title IX Coordinator.

B. Note that a person is entitled to make a complaint of sex-based harassment only if they themselves are alleged to have been subjected to the sex-based harassment, if they have a legal right to act on behalf of such person, or if the Title IX Coordinator initiates a complaint consistent with the requirements of 34 C.F.R. § 106.44(f)(1)(v), a fact-specific determination.

C. With respect to complaints of sex discrimination other than sex-based harassment, in addition to the people listed above, the following persons have a right to make a complaint:
    a. Any student or employee of AHS; or
    b. Any person other than a student or employee who was participating or attempting to participate in AHS's education program or activity at the time of the alleged sex discrimination.

D. AHS may consolidate complaints of sex discrimination against more than one respondent, or by more than one complainant against one or more respondents, or by one party against another party, when the allegations of sex discrimination arise out of the same facts or circumstances.
    a. AHS is not permitted to consolidate complaints if the consolidation would violate the Family Educational Rights and Privacy Act (FERPA). To adhere to FERPA, AHS must obtain prior written consent from the parents or eligible students to the disclosure of their education records. *See* 34 CFR 99.30; 34 CFR 99.3.

E. Any complaints against the Title IX Coordinator shall be submitted to, and reviewed by, the Principal in accordance with this policy. Any complaints against the Principal shall be submitted to the Title IX Coordinator with immediate referral of said complaint to the School Board for review in accordance with this policy. Any complaints against a School Board member shall be received by the Title IX Coordinator with immediate referral to the Principal; the Principal shall then confer with the Title IX Coordinator to refer the

matter for review and investigation to a third-party investigator (i.e., law firm for investigation).

F. When more than one complainant or more than one respondent is involved, references below to a party, complainant, or respondent include the plural, as applicable.

BASIC REQUIRNMENTS OF TITLE IX COMPLAINT PROCEDURES

A. AHS will treat complainants and respondents equitably.
B. AHS requires that any Title IX Coordinator, investigator, or decisionmaker not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. A decisionmaker may be the same person as the Title IX Coordinator or investigator.
C. AHS presumes that the respondent is not responsible for the alleged sex discrimination until a determination is made at the conclusion of its grievance procedures.
D. AHS has established the following timeframes for the major stages of the grievance procedures (*See* Complaint Procedures Flowchart, Appendix 3-B):
    a. **Notification of complaint received by the Title IX Coordinator.** Parties to the complaint shall receive official notification within three (3) school days upon receipt of an official complaint.
    b. **Evaluation of the Complaint.** The complaint shall be initially evaluated for a determination whether to proceed with an investigation or to dismiss the complaint. This is similar to a probable cause determination (is there a reasonable basis for believing the allegation may have been committed or that evidence of a violation is present). This evaluation period shall be concluded, with a decision, within three (3) days. If the complaint is dismissed at this stage, the complainant shall be notified within one (1) school day of the decision.
    c. **Investigation.** If there is a decision to proceed with the investigation, the investigation shall begin within two (2) school days of the decision, if not sooner.
    d. **Determination.** Upon a complete and prompt investigation, a determination shall be made within 10 school days of the commencement of the investigation. Written notification of the determination shall be provided to the parties on the same school day the determination is made.
    e. **Appeal.** Any appeals of a determination must be filed within five (5) school days of the determination date. Upon the filing of an appeal, the appeal process shall be concluded within 10 school days of receipt of the appeal.
E. AHS has also established the following process that allows for the reasonable extension of timeframes on a case-by-case basis for good cause with notice to the parties that includes the reason for the delay:
    a. Parties requesting an extension of time must do so prior to the termination of the time requirement (i.e., if an appeal must be filed within five (5) school days of the determination date, the party must appeal prior to the five-day time limit);

b. All time extension requests shall provide sufficient detail in writing for the decisionmaker to review;
c. Any time extension requests shall be reviewed and determined by the Title IX Coordinator based on the information provided in the request, school resources to accommodate, and fairness to the other party(ies);
d. Should the Title IX Coordinator need an extension of time for an investigation, those requests shall be made to the Principal and/or Superintendent for a reasonable extension of time determination prior to the termination of the time requirement.

F. AHS will take reasonable steps to protect the privacy of the parties and witnesses during its complaint procedures. These steps will not restrict the ability of the parties to obtain and present evidence, including by speaking to witnesses; consult with their family members, confidential resources, or advisors; or otherwise prepare for or participate in the grievance procedures. The parties cannot engage in retaliation, including against witnesses.

G. AHS will objectively evaluate all evidence that is relevant and not otherwise impermissible—including both inculpatory (evidence that suggests or proves sex discrimination or sex-based harassment occurred) and exculpatory (evidence that tends to disprove sex discrimination or sex-based harassment occurred) evidence. Credibility determinations will not be based on a person's status as a complainant, respondent, or witness.

H. The following types of evidence, and questions seeking that evidence, are impermissible (i.e., will not be accessed or considered, except by AHS to determine whether one of the exceptions listed below applies; will not be disclosed; and will not otherwise be used), regardless of whether they are relevant:
a. Evidence that is protected under a privilege recognized by Federal or State law or evidence provided to a confidential employee, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;
b. A party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless AHS obtains that party's or witness's voluntary, written consent for use in its grievance procedures; and
c. Evidence that relates to the complainant's sexual interests or prior sexual conduct, unless evidence about the complainant's prior sexual conduct is offered to prove that someone other than the respondent committed the alleged conduct or is evidence about specific incidents of the complainant's prior sexual conduct with the respondent that is offered to prove consent to the alleged sex-based harassment. The fact of prior consensual sexual conduct between the complainant and respondent does not by itself demonstrate or imply the complainant's consent to the alleged sex-based harassment or preclude determination that sex-based harassment occurred.

NOTICE OF ALLEGATIONS

A. Upon initiation of AHS's Title IX grievance procedures, AHS will notify the parties of the following:
    a. AHS's Title IX grievance procedures and any informal resolution process (*See* Section 3.56.11 below);
        i. Any and all informal resolution processes offered by AHS must comply with regulatory requirements set forth in 34 C.F.R. § 106.44(k)
    b. Sufficient information available at the time to allow the parties to respond to the allegations, including the identities of the parties involved in the incident(s), the conduct alleged to constitute sex discrimination, and the date(s) and location(s) of the alleged incident(s);
    c. Retaliation is prohibited; and
    d. The parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence or an accurate description of this evidence. AHS will provide a brief description/listing of the evidence in AHS's possession and the parties shall have access upon written request of any party.

B. If, in the course of an investigation, AHS decides to investigate additional allegations of sex discrimination by the respondent toward the complainant that are not included in the notice provided or that are included in a complaint that is consolidated, AHS will notify the parties of the additional allegations.

EVALUATION—PROCEED WITH AN INVESTIGATION OR DISMISSAL OF A COMPLAINT

A. AHS shall evaluate each complaint to determine if the complaint will proceed to a full investigation or if the complaint shall be dismissed. To make such a decision, the Title IX Coordinator must determine if there is a reasonable basis for believing the allegation may have been committed or that evidence of a violation is present. This evaluation period shall be concluded, with a decision, within three (3) days and notification to the parties within one (1) school day.
B. AHS may dismiss a complaint of sex discrimination if:
    a. AHS is unable to identify the respondent after taking reasonable steps to do so;
    b. The respondent is not participating in AHS education program or activity and is not employed by AHS;
    c. The complainant voluntarily withdraws any or all of the allegations in the complaint, the Title IX Coordinator declines to initiate a complaint, and AHS determines that, without the complainant's withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute sex discrimination under Title IX even if proven; or

d. AHS determines the conduct alleged in the complaint, even if proven, would not constitute sex discrimination under Title IX. Before dismissing the complaint, AHS will make reasonable efforts to clarify the allegations with the complainant.

C. Upon dismissal, AHS will promptly notify the complainant, within one (1) school day, of the basis for the dismissal. If the dismissal occurs after the respondent has been notified of the allegations, then AHS will also notify the respondent of the dismissal and the basis for the dismissal promptly following notification to the complainant, or simultaneously if notification is in writing.

D. AHS will notify the complainant that a dismissal may be appealed within five (5) school days of the dismissal notice and will provide the complainant with an opportunity to appeal the dismissal of a complaint. If the dismissal occurs after the respondent has been notified of the allegations, then AHS will also notify the respondent that the dismissal may be appealed. Dismissals may be appealed on the following bases:
   a. Procedural irregularity that would change the outcome (i.e., dismissing the complaint based on an irrelevant factor such as the School being on a holiday break; dismissing based on a higher standard of proof than required at the evaluation phase);
   b. New evidence that would change the outcome and that was not reasonably available when the dismissal was made (i.e., a witness provided a statement after the dismissal decision that provides relevant information to the allegations); and
   c. The Title IX Coordinator, investigator, or decisionmaker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome (i.e., the Title IX Coordinator is related to the respondent or has some other personal relationship/connection to them that raises a question of bias).

E. If the dismissal is appealed, AHS will:
   a. Notify the parties of any appeal within one (1) school day, including notice of the allegations, if notice was not previously provided to the respondent;
   b. Implement appeal procedures equally for the parties;
   c. Ensure that the decisionmaker for the appeal did not take part in an investigation of the allegations or dismissal of the complaint;
   d. Ensure that the decisionmaker for the appeal has been trained consistent with the Title IX regulations as stipulated in Section 8.02(D) of this policy;
   e. Provide the parties a reasonable and equal opportunity to make a statement, and any new evidence, in support of, or challenging, the outcome that is to be received by the decisionmaker within three (3) school days of receiving the notice of appeal; and
   f. Notify the parties of the result of the appeal and the rationale for the result in one (1) school day of receiving the statements and any new evidence.
   g. This appeal process will take no longer than five (5) school days from receipt of the appeal through notification of the result.

F. When a complaint is dismissed, AHS will, at a minimum:

a. Offer supportive measures to the complainant as appropriate and as set forth in 34 C.F.R § 106.44(g);
b. If the respondent has been notified of the allegations, offer supportive measures to the respondent as appropriate; and
c. Take other prompt and effective steps, as appropriate, through the Title IX Coordinator to ensure that sex discrimination does not continue or recur within AHS's education program or activity as set forth in 34 C.F.R. § 106.44(f).

INVESTIGATION

A. AHS will provide for adequate, reliable, and impartial investigation of complaints. **Full investigations shall commence within two (2) school days** of the evaluation decision to proceed to investigation and **conclude with a determination within 10 school days of the commencement of the investigation.**
   a. The burden is on AHS—not on the parties—to conduct an investigation that gathers sufficient evidence to determine whether sex discrimination occurred.
   b. The Title IX Coordinator has the option to refer any investigation to a third-party investigator for proper and thorough handling of the investigation. This will be of cost to AHS so the decision to refer to an independent investigator must be approved by the Superintendent.
B. AHS will provide an equal opportunity for the parties to present fact witnesses and other inculpatory (evidence that suggests or proves sex discrimination or sex-based harassment occurred) and exculpatory (evidence that tends to disprove sex discrimination or sex-based harassment occurred) evidence that are relevant and not otherwise impermissible.
C. AHS will review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance.
D. AHS will provide each party with an equal opportunity to access the evidence that is relevant to the allegations of sex discrimination and not otherwise impermissible, in the following manner:
   a. AHS will provide an equal opportunity to access either the relevant and not otherwise impermissible evidence, or an accurate description of this evidence. AHS will provide a brief description/listing of the evidence in AHS's possession and the parties shall have access upon written request of any party;
   b. AHS will provide a reasonable opportunity to respond to the evidence or the accurate description of the evidence; and
   c. AHS will take reasonable steps to prevent and address the parties' unauthorized disclosure of information and evidence obtained solely through the grievance procedures. Disclosures of such information and evidence for purposes of administrative proceedings or litigation related to the complaint of sex discrimination are authorized.

QUESTIONING THE PARTIES AND WITNESSES AS PART OF THE INVESTIGATION

A. AHS will provide a process that enables the decisionmaker to question parties and witnesses to adequately assess a party's or witness's credibility to the extent credibility is both in dispute and relevant to evaluating one or more allegations of sex discrimination.
    b. Interviews shall be conducted with the complainant, respondent(s) (person(s) being accused of the violation) and named witnesses.
    c. Open-ended questions or clarifying questions shall be asked of the interviewees – no leading questions.
    d. The decisionmaker shall take notes of the interview documenting the responses and demeanor of the interviewees.
    e. Interviews shall be recorded with notice of the recording provided to each individual prior to the commencement of the interview.
B. The decisionmaker may consult with AHS's legal counsel in the drafting of questions for the interviews.

DETERMINATION WHETHER SEX DISCRIMINATION OCCURRED

A. Following an investigation and evaluation of all relevant and not otherwise impermissible evidence, AHS will:
    a. Use the ***clear and convincing evidence*** standard of proof to determine whether sex discrimination occurred. The standard of proof requires the decisionmaker to evaluate relevant and not otherwise impermissible evidence for its persuasiveness. If the decisionmaker is not persuaded under the applicable standard by the evidence that sex discrimination occurred, whatever the quantity of the evidence is, the decisionmaker will not determine that sex discrimination occurred.
        i. The ***clear and convincing evidence standard*** of proof means the **evidence is highly and substantially more likely to be true than untrue**.
        ii. This is a higher, more rigorous standard of proof than a probable cause determination (to initiate the investigation) which provides a reasonable basis for believing a violation may have been committed; and a preponderance of the evidence standard which requires demonstrating that the allegation is more likely true than not true.
B. Notify the parties in writing of the determination whether sex discrimination occurred under Title IX, within 10 school days of commencing the investigation, including the rationale for such determination, and the procedures and permissible bases for the complainant and respondent to appeal, if applicable;
C. Not impose discipline on a respondent for sex discrimination prohibited by Title IX unless there is a determination at the conclusion of the grievance procedures that the respondent engaged in prohibited sex discrimination.

D. If there is a determination that sex discrimination occurred, the Title IX Coordinator will, as appropriate:
   a. Coordinate the provision and implementation of remedies to a complainant and other people AHS identifies as having had equal access to AHS's education program or activity limited or denied by sex discrimination;
   b. Coordinate the imposition of any disciplinary sanctions on a respondent, including notification to the complainant of any such disciplinary sanctions; and
   c. Take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within AHS's education program or activity.

E. Comply with the grievance procedures before the imposition of any disciplinary sanctions against a respondent; and

F. Not discipline a party, witness, or others participating in the grievance procedures for making a false statement or for engaging in consensual sexual conduct based solely on the determination whether sex discrimination occurred. AHS may still address false statements by initiating a disciplinary process under AHS's code of conduct as long as there is evidence independent of the determination whether sex discrimination occurred.

APPEAL OF DETERMINATIONS

A. AHS shall have a Title IX Appeals Committee review, and decide upon, all appeals received in accordance with this policy. This Committee will consist of:
   a. Title IX Coordinator
   b. Principal
   c. Superintendent

B. AHS offers the following process for appeals from a determination whether sex discrimination occurred:
   a. Appeals must be filed with the Title IX Coordinator within five (5) school days after notification of a Determination is received by the party.
   b. The Title IX Coordinator shall provide Notice of Appeal to all parties within one (1) school day of receiving the appeal.
   c. Parties shall submit a statement, to be included with the record, for the Title IX Appeals Committee to review within three (3) school days after receiving the Notice of Appeal.
   d. The Title IX Coordinator shall provide the appeal, statements, and all related evidence (the record) to the Title IX Appeals Committee for review, consideration, and decision.
   e. The Appeals Committee shall review all evidence, statements, interviews, analysis and determinations (the record) and provide a decision upon such facts and evidence.
   f. In making the consensus decision, the Appeals Committee shall either (1) uphold the determination; or (2) reverse the determination, within one (5) school days of receiving the record for review.

C. This appeal process will be, at a minimum, the same as AHS offers in all other comparable proceedings, including proceedings relating to other discrimination complaints. 34 C.F.R. 106.45(i)

INFORMAL RESOLUTION, IF OFFERED

In lieu of resolving a complaint through AHS's Title IX grievance procedures, the parties may instead elect to participate in an informal resolution process in accordance with 34 C.F.R. § 106.44(k). AHS does not offer informal resolution to resolve a complaint that includes allegations that an employee engaged in sex-based harassment of an elementary school or secondary school student, or when such a process would conflict with Federal, State, or local law.

A. At any time prior to the determination whether sex discrimination occurred, AHS may offer to a complainant and respondent an informal resolution process, unless the complaint includes allegations that an employee engaged in sex-based harassment of an elementary school or secondary school student, or such process would conflict with Federal or Tribal law. In such a case where informal resolution is offered, the Title IX Coordinator will take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within the recipient's education program or activity.
    a. Subject to the limitations above in (A), the Title IX Coordinator has discretion to determine whether it is appropriate to offer an informal resolution process when it receives information about conduct that reasonably may constitute sex discrimination under Title IX or this section when a complaint of sex discrimination is made and may decline to offer informal resolution despite one or more the parties' wishes.
    b. In addition to the limitations above in (A), circumstance when the Title IX Coordinator may decline to allow informal resolution include but are not limited to when the Title IX Coordinator determines that the alleged conduct would present a future risk of harm to others.
B. AHS shall not require or pressure the parties to participate in an informal resolution process. AHS must obtain the parties' voluntary consent to the informal resolution process and must not require waiver of the right to an investigation and determination of a complaint as a condition of enrollment or continuing enrollment, or employment or continuing employment, or exercise of any other right.
C. Before the initiation of an informal resolution process, AHS shall provide notice to the parties that explains:
    a. The allegations;
    b. The requirements of the informal resolution process;

c. That, prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and to initiate or resume the recipient's grievance procedures;
d. That the parties' agreement to a resolution at the conclusion of the informal resolution process would preclude the parties from initiating or resuming grievance procedures arising from the same allegations;
e. The potential terms that may be requested or offered in an informal resolution agreement, including notice that an informal resolution agreement is binding only on the parties; and
f. What information AHS will maintain and whether and how AHS could disclose such information for use in grievance procedures if grievance procedures are initiated or resumed

D. The facilitator of the informal resolution process must not be the same person as the investigator or the decisionmaker according to these policies. Any person designated by AHS to facilitate an informal resolution process shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. Any person facilitating informal resolution must receive training pursuant to Section 8.02(D)(3) above.
E. The informal resolution process may include, but is not limited to, the facilitation of a mediation or peacemaking process.
F. Potential terms that may be included in an informal resolution agreement include but are not limited to:
   a. Restrictions on contact; and
   b. Restrictions on the respondent's participation in one or more of AHS's programs or activities or attendance at specific events, including restrictions AHS could have imposed as remedies or disciplinary sanctions had AHS determined at the conclusion of AHS's grievance procedures that sex discrimination occurred.

SUPPORTIVE MEASURES

A. AHS will offer and coordinate supportive measures as appropriate for the complainant and/or respondent to restore or preserve that person's access to AHS's education program or activity or provide support during AHS's Title IX grievance procedures or during the informal resolution process. For complaints of sex-based harassment, these supportive measures may include:
   a. Counseling; extensions of deadlines and other course-related adjustments; school campus escort services; increased security and monitoring of certain areas of the school campus; restrictions on contact applied to one or more parties; leaves of absence; change in class, work, or extracurricular or any other activity, regardless of whether there is or is not a comparable alternative; and training and education programs related to sex-based harassment.

b. Supportive measures must not unreasonably burden either party and must be designed to protect the safety of the parties or AHS's educational environment, or to provide support during the AHS's grievance procedures or informal resolution process. AHS will not impost such measure for punitive or disciplinary reasons.
c. AHS may, as appropriate, modify or terminate supportive measures at the conclusion of the grievance procedures or at the conclusion of the informal resolution process, or AHS may continue them beyond that point.
d. A complainant or respondent will have a timely opportunity to seek, from the Principal, modification or reversal of the Title IX Coordinator's decision to provide, deny, modify, or terminate supportive measures applicable to them. AHS will also provide a party with the opportunity to seek additional modification or termination of a supportive measure applicable to them if circumstances change materially.
e. AHS will not disclose information about any supportive measures to persons other than the person to whom they apply, including informing one party of supportive measures provided to another party, unless necessary to provide the supportive measure or restore or preserve a party's access to the education program or activity, or when an exception in 34 C.F.R. § 106.44(j)(1) through (5) applies.

DISCIPLINARY SANCTIONS AND REMEDIES

Following a determination that sex-based harassment occurred, AHS may impose disciplinary sanctions, which may include:

A. Personnel
   a. Written reprimand and corrective action plan up to and including termination
B. Students
   a. Consequences will be in accordance with AHS's progressive disciplinary matrix as prescribed in Section 4.19, Harassing Behaviors
   b. <u>Consequences for Middle School:</u>
      i. 1st Offense: 1 day I.S.S. and a plan must be created outlining how the behavior will change. The plan will be reviewed and signed by all parties involved. The plan will also list supports that student/staff need from the school.
      ii. 2nd Offense: 3 days I.S.S. Parent and/or guardian must accompany the student to school at the completion of the I.S.S. time to create a new student success plan.
      iii. 3rd Offense: 5 days I.S.S.
      iv. 4th Offense: Any further offenses will result in the recommendation for long-term suspension or an expulsion hearing. Referrals will be filed with local law enforcement.
   c. <u>Consequences for Elementary:</u>
      a. 1st Offense Step 1: 1st Offense – 1 day in Safe Sacred Classroom and a plan created outlining how the behavior will change. The plan will be reviewed and

signed by all parties involved. The plan will also list supports that student/staff need from the school.

b. 2nd Offense Step 2: 2nd Offense – 3 days with Safe Sacred Classroom. Parent/guardian must accompany the student to school at the completion of the 3 days of Safe Sacred Classroom time to update plan for success.
c. 3rd Offense Step 3: 3 days O.S.S.
d. 4th Offense: Any further offenses will result in the recommendation for long-term suspension or an expulsion hearing. Referrals will be filed with local law enforcement.

C. AHS may also provide remedies, which may include:
   a. Supportive Measures listed in Section 12
   b. Restorative practices such as peacemaking circles, talking circles, etc.
   c. Mental health assessments and recommendation support
   d. Referrals for family counseling
   e. Cultural services and supports
   f. Other referrals as deemed necessary or as requested on a case-by-case basis

3.58 WORKPLACE BULLYING AND HARASSMENT

PURPOSE:
Any threatening, menacing, abusive, or disorderly conduct toward staff is against the law and will not be tolerated. American Horse School is committed to providing a safe working environment for all employees, volunteers, and community members that is free from harassment, intimidation, or bullying.

Work place bullying creates an intimidating or threatening environment and has the effect significantly impacting an employee's ability to perform the duties of their position at an expected level of performance.

DEFINITION:
Work place bullying is defined as the act of one or more individuals intimidating one or more persons negatively and over time through verbal, physical, mental, cyber, or written interactions and those persons have difficulty defending themselves. Bullying may take many forms and can occur in any setting. It can create insecure and unwarranted anxiety that will affect the professional work environment.

Examples of work place bullying include, but are not limited to:

- Threats, humiliation, or intimidating
- Work interference or sabotage that prevents work from getting done
- Verbal abuse
- Harassment on social media at any time
- Cannot use School Board member names as intimidation or threat to any staff member.

Harassment is defined as threatening, insulting, and dehumanizing gestures, use of technology, computer software or written, verbal or physical conduct directed against an employee that places an employee in reasonable fear of harm to their person or damage to their property or position. Harassment has the effect of substantially interfering with an employee's work performance. It can also have the effect of negatively impacting an employee's emotional or mental well-being and substantially disrupting the orderly operation of the school.

OBJECTIVES:

It is expected that all staff understand that bullying/harassment in the schools, on school grounds, on the buses, or at school sponsored activities will not be tolerated and will be grounds for disciplinary action up to and including suspension or termination for employees.

The American Horse School grievance procedures shall be utilized by alleged victims of bullying or harassment.

American Horse School administration and HR will promptly and reasonably investigate allegations of bullying/harassment.

No retaliation of any kind is permitted in connection with an individual having made a bullying/harassment complaint and if it occurs it shall be deemed an additional act of bullying/harassment.

Disciplinary consequence for a person who commits bullying/harassment will follow the personnel discipline policy, which may range from a documented warning up to suspension or termination of employment with American Horse School.

3.59 EMPLOYEE FRATERNIZATION POLICY

The School strongly believes that a work environment where employees maintain clear boundaries between employee personal and business interactions is necessary for effective business operations. Although this policy does not prohibit the development of friendships or romantic relationships between co-workers, it does establish standards of conduct to be followed by employees who have a personal relationship during working hours and within the working environment.

Individuals in supervisory or managerial roles, and those with authority over others' terms and conditions of employment, are subject to more stringent requirements under this policy due to their status as role models, their access to sensitive information, and their ability to affect the employment of individuals in subordinate positions.

This policy does not preclude or interfere with the rights of employees protected by the National Labor Relations Act or any other applicable statute concerning the employment relationship.

1. During working time and in working areas, employees are expected to conduct themselves

in an appropriate workplace manner that does not interfere with others or with overall productivity.

2. During the nonworking time, such as lunches, breaks, and before and after work periods, employees engaging in personal exchanges in nonwork areas should observe an appropriate workplace manner to avoid offending other workers or putting others in an uncomfortable position.
3. Employees are strictly prohibited from engaging in physical contact that would in any way be deemed inappropriate in the workplace by a reasonable person while anywhere on School premises, whether during working hours or not.
4. Employees who allow personal relationships with co-workers to adversely affect the work environment will be subject to Schools' disciplinary policy, including counseling for minor problems. Failure to change behavior and maintain expected work responsibilities is viewed as a serious disciplinary matter.
5. Employee off-duty conduct is generally regarded as private, as long as such conduct does not create problems within the workplace. An exception to this principle, however, is romantic or sexual relationships between supervisors and subordinates.
6. Any supervisor, manager, executive or other School official in a sensitive or influential position with School must disclose the existence of a romantic or sexual relationship with another co-worker. Disclosure may be made to the individual's immediate supervisor, Human Resources Department, and Administrator. School will review the circumstances to determine whether any conflict of interest exists.
7. When a conflict-of-interest or potential risk is identified due to a school district official's relationship with a co-worker, Schools will work with the parties involved to consider options for resolving the problem. The initial solution may be to make sure the parties no longer work together on matters where one is able to influence the other or take action for the other. Matters such as hiring, firing, promotions, performance management, compensation decisions, and financial transactions are examples of situations that may require reallocation of duties to avoid any actual or perceived reward or disadvantage. In some cases, other measures may be necessary, such as transfer of one or both parties to other positions or departments. If one or both parties refuse to accept a reasonable solution, such refusal will be deemed a voluntary resignation.
8. Failure to cooperate with Schools to resolve a conflict or problem caused by a romantic or sexual relationship between co-workers or among managers, supervisors or others in positions of authority in a mutually agreeable fashion may be deemed insubordination and result in disciplinary action up to and including termination.
9. The provisions of this policy apply regardless of the sexual orientation of the parties involved.
10. Where doubts exist as to the specific meaning of the terms used above, employees should make judgments based on the overall spirit and intent of this policy.
11. Any concerns about the administration of this policy should be addressed to the Administrator and Human Resources Office.

3.60 NON-FRATERNIZATION

The School Board requires that all school district staff maintain a professional, ethical relationship with district students that is conducive to an effective, safe learning environment; and that staff members act as role models for students at all times, whether on or off school

property and both during and outside of school hours.

Inappropriate behavior between employees of the School and students attending the District's schools or availing themselves of services from the District are potentially confusing to the student, disruptive of his/her educational program and may threaten or violate a student's right to personal and physical integrity. In light of these considerations the Board hereby prohibits any District employee from engaging in inappropriate behavior with a student who attends the District's schools or who is a participant in any educational or other program (including, but not limited to, transportation or other services not directly educational in nature) which is operated, staffed, or administered by School's employees, contractors, service providers or volunteers regardless of the student's age or consent. The term "inappropriate behavior" includes but is not limited to flirting, an inappropriate close social relationship, making suggestive comments, dating or attempts to set up a dating situation, requests for sexual activity, inappropriate physical displays of affection, giving inappropriate personal gifts, inappropriate personal communication (see section on Electronic Communications), providing alcohol or drugs, inappropriate touching or engaging in sexual contact or sexual relations.

Electronic Communications

For purposes of this policy, electronic communication shall mean a communication transmitted by means of an electronic device including, but not limited to, a telephone, cellular telephone, computer, tablet or Chromebook devices, or computer network. Electronic communications include, but are not limited to, emails, instant messages and communications made by means of an Internet website, including social media and other networking websites.

As with other forms of communication, when communicating electronically, adults shall maintain professional boundaries with students.

Electronic communication with students shall be for legitimate educational reasons only.

When available, district provided email or other district–provided communication devices shall be used when communicating electronically with students. The use of school-provided email or other district provided communication devices shall be in accordance with school policies and procedures. Use of cell phones shall be limited to informative group communications.

All electronic communications from teachers, coaches, and advisors to classes, teams or club members shall be sent in a single communication to all class, team or club members, except for communications concerning an individual student's medical or academic privacy matters, in which case the communications will be copied to the school Administrator. In the case of sports teams under the direction of the Athletic Director, communications shall be copied to the Athletic Director.

Adults shall not follow or accept requests from current students and from their parents to be friends or connections on personal social networking sites and shall not create any networking

site for communication with students other than those approved by the district for this purpose, without the prior written approval of the building Administrator.

Exceptions

An emergency situation or a legitimate educational reason may justify deviation from professional boundaries set out in this policy. The adult shall be prepared to articulate the reason for any deviation from the requirements of this policy and must demonstrate that s/he has maintained an appropriate relationship with the student.

There will be circumstances where personal relationships develop between an adult and a student's family, e.g. when their children become friends. This policy is not intended to interfere with such relationships or to limit activities that are normally consistent with such relationships. Adults are strongly encouraged to maintain professional boundaries appropriate to the nature of the activity.

It is understood that many adults are involved in various other roles in the community through school-related civic, religious, athletic, scouting or other organizations and programs whose participants may include district students. Such community involvements is commendable, and this policy is not intended to interfere with or restrict an adult's ability to serve in those roles. However, adults are strongly encouraged to maintain professional boundaries appropriate to the nature of the activity with regard to all youth with whom they interact in the course of their community involvement.

Any student who believes that he/she has been subjected to inappropriate staff behavior as defined in this policy, as well as students, staff members or third parties who have knowledge of or witness any possible occurrence of inappropriate staff-student relations, shall report the incident to either the school Administrator or the Human Resources Officer for further investigation. In all events such reports shall be forwarded to the designated Human Resources Officer for further investigation. Investigations of allegations of inappropriate staff-student relations shall follow the procedures utilized for complaints of harassment with the school district.

If a student initiates inappropriate behavior, as previously defined, toward a staff member, that staff member shall document the incident and promptly report it to the Administrator or supervisor. Failure to report such student-initiated behavior shall result in disciplinary proceedings.

The School Administrator and/or program supervisor shall be responsible for informing students and staff members of the requirements of this policy, including the duty to report any inappropriate staff-student relations. The School's policy, or a summary thereof, shall be disseminated to all new staff persons and at least annually to staff, students and parents. This topic shall be addressed in the District Code of Conduct and all staff member handbooks.

Any staff member who engages in inappropriate conduct with a student, prohibited by the terms of this policy, shall be subject to appropriate disciplinary proceedings that may culminate in termination of employment in accordance with the law, district policy and

regulations, and the applicable collective bargaining agreement. A violation of this policy may also subject the employee to criminal and/or civil sanctions as well as disciplinary proceedings established by relevant authorities.

Prohibition of Retaliation

The School Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participate in the investigation of allegations of inappropriate staff-student relations. Follow-up inquiries and/or appropriate monitoring shall be made to ensure that the alleged conduct has not resumed and that all those involved in the investigation have not suffered retaliation. Any act of retaliation is subject to appropriate disciplinary action by the School.

3.61 INTERNET ACCEPTABLE USE POLICY AGREEMENT

1. American Horse School encourages workers who have been granted Internet access to explore the Internet, but if this exploration is for personal purposes, it must be done on personal, not government time. Likewise, games, news groups, and other non-business activities must be performed on personal, not government time. Use of Office of Indian Education Programs computing resources for these personal purposes is permissible so long as the incremental cost of the usage is negligible, and so long as no Office of Indian Education Programs business activity is preempted by the personal use. Workers must not employ the Internet or other internal information systems in such a way that the productivity of other workers is eroded; examples include chain letters and broadcast charitable solicitations.
2. THE FOLLOWING BEHAVIORS ARE NOT PERMITTED ON THE SCHOOL NETWORK:
   A. Sharing confidential information on students or other employees.
   B. Sending or displaying offensive messages or pictures.
   C. Accessing email for unacceptable use/accessing chat rooms for personal use.
   D. Assisting a campaign for election of any person to any office or for the promotion or opposition to any ballot proposition.
   E. Using obscene language.
   F. Harassing, insulting or attacking others.
   G. Engaging in practices that threaten the network (e.g. loading files that may introduce a virus)
   H. Violating copyright laws.
   I. Uploading unlicensed software programs.
   J. Using others' passwords.
   K. Trespassing in others' folders, documents and files.
   L. Damaging computers, computer systems or computer networks.
   M. Intentionally wasting limited resources.
   N. Employing the network for commercial purposes.
   O. Individual users of the network are responsible for their behavior and communications over the network. It is presumed that users will comply with school standards and will honor this agreement. Beyond the clarification of such standards, the school is not responsible for restricting, monitoring or controlling the communications of individuals

utilizing the network.

P. The use of the Internet and electronic mail is a privilege and not a right and inappropriate use will result in cancellation of these privileges.

3. MICROCOMPUTER SECURITY POLICY

A. Business Use Only: Office of Indian Education Programs computer and communication systems must be used only for business purposes. Incidental personal use is permissible if the use:

B. Does not consume more than a trivial amount of resources that could otherwise be used for business purposes.

C. Does not interfere with worker productivity.

D. Does not preempt any business activity.

E. Permissible incidental use of a microcomputer would, for example, involve responding to an electronic mail message about a luncheon. Separately, examples of personal use include game playing, writing a resume, and surfing the Internet for entertainment purposes.

F. Configuration Control:

G. Changes to Application Software: American Horse School through the Office of Indian Education Programs has a standard list of permissible software packages that users can run on their microcomputers. Workers must not install other software packages on microcomputers without obtaining advance written permission from the School "IT" Team. Additionally, staff must not permit automatic software installation routines to be run on School microcomputers unless these routines have first been approved by the "IT" Team. Unless separate arrangements are made with the "IT" Team, upgrades to authorized software will be downloaded to microcomputers automatically. Auto-discovery license management software is used to remotely determine which software packages are resident on worker microcomputer hard disks. Unapproved software may be removed without advance notice to the involved worker.

H. Changes to Operating System Configurations: On American Horse School Programs-supplied computer hardware, workers must not change operating system configurations, upgrade existing operating systems, or install new operating systems. If such changes are required, they will be performed by "IT" Team personnel.

I. Changes to Hardware: Computer equipment supplied by American Horse School Programs must not be altered or added to in any way (e.g., upgraded processor, expanded memory, or extra circuit boards) without the prior knowledge of and authorization from the "IT" Team. Auto-discovery software is used to determine what equipment is installed in each microcomputer, so unauthorized hardware reconfigurations are detected automatically.

J. Blocking Sites: American Horse School filters routinely prevent users from connecting with certain non-business web sites. Workers using American Horse School computers (on or off campus) who discover they have connected with a web site that contains sexually explicit, racist, violent, or other potentially offensive material must immediately disconnect from that site. The ability to connect with a specific web site does not in itself imply that users of American Horse School systems are permitted to visit that site.

K. Virus Program Installed: All microcomputers must continuously run the current version of virus detection package approved by the BIA Management Information Systems Division. The current version of this virus package will be automatically downloaded to

each microcomputer when the machine is connected to American Horse School's internal network. Workers must not abort this download process.

L. Externally supplied floppy disks, CD-ROMs, and other removable storage media must not be used unless they have first been checked for viruses.
M. Externally supplied computer-readable files (software programs, databases, word processing documents, spreadsheets, etc.) must be decompressed prior to being subjected to an approved virus checking process. If the files have been encrypted, they must be decrypted before running a virus checking program. Many virus checking programs cannot detect viruses in compressed or encrypted files.
N. Eradicating Viruses: Because viruses can be complex and sophisticated, workers must not attempt to eradicate them without expert assistance. If workers suspect infection by a virus, they must immediately stop using the involved computer, disconnect from all networks, and call the "IT" department and wait for assistance.
O. Browser User Authentication: Users must not save fixed passwords in their web browsers or electronic mail clients because this may allow anybody who has physical access to their workstations to both access the Internet with their identities, as well as read and send their electronic mail. Instead, these fixed passwords must be provided each time that a browser or electronic mail client is invoked. Similarly, American Horse School computer users must refuse all offers by software to place a cookie on their computer so that they can automatically log-in the next time that they visit a particular Internet site.
P. Computer Password and Access Limitations: American Horse School Staff do not have the authority to set their own bios settings...you do not have admin rights to any computer. Additionally, you do not have administrative rights to the computer and are limited to privileges based on this fact. Please address administrative issues, concerns, and needs to the "IT" Department.

4. PHYSICAL SECURITY:

A. Equipment Theft: To prevent theft, all office desktop microcomputers (with the exception of portables) must be physically secured inside the classroom or office by locking the door(s) when you are not present. All microcomputer equipment must be marked with an identification tag which clearly indicates it is American Horse School or BIA property. Periodic physical inventories are used to track the movement of microcomputers and related computer equipment.
B. Laptop Computer Security: If you have been assigned or issued a laptop computer (other than for a computer resource center), you must be very security conscious to prevent loss or theft. Practice the following measures:
C. Do not leave a laptop computer unattended when you leave your classroom or office. Ensure someone is watching it for you and if not, lock your classroom or office until you return.
D. Similarity, you must either lock your laptop in your classroom closet or office closet in the evening or take the system home with you if you have a computer pass allowing you to take it home.
E. Do not ever leave your laptop in your car overnight; secure it in your home.
F. Keep the laptop in its protective case when not in use.
G. Portable computers must always be secured with locking cables, placed in locking cabinets, or secured via other locking systems when in the office but not in use.
H. If you do not have a proper method to secure your laptop, you must make the American

Horse School "IT" Department aware of this situation.

I. Custodians for Equipment: The primary user of a microcomputer (or classroom teacher) is considered a custodian for the equipment. If the equipment has been damaged, lost, stolen, borrowed, or is otherwise unavailable for normal business activities, a custodian must promptly inform the "IT" Team immediately. With the exception of portable machines, microcomputer equipment must not be moved or relocated without the knowledge and approval of the "IT" Team.
J. Use of Personal Equipment: Workers must not bring their own computers, computer peripherals, or computer software into American Horse School facilities without prior written authorization from the "IT" Team. Likewise, workers must not use their own microcomputers for production of American Horse School business unless these systems have been previously evaluated and approved by the "IT" Team.
K. Property Pass: Microcomputers, portable computers, typewriters, and related information systems equipment must not leave American Horse School offices and/or classrooms unless accompanied by a Property Pass or Hand Receipt signed by the "IT" Team or designated property manager.
L. Locking Sensitive Information: When not being used by authorized workers, or when not clearly visible in an area where authorized persons are working, all hardcopy sensitive information must be locked in file cabinets, desks, safes, or other furniture. Likewise, when not being used, or when not in a clearly visible and attended area, all computer storage media (floppy disks, tapes, CD-ROMs, etc.) containing sensitive information must be locked in similar enclosures.

5. American Horse School User Agreement
6. As a user of the American Horse School computer network and their Technology property, I hereby agree to comply with the above stated rules and honor all laws and restrictions.

3.62 SCHOOL TECHNOLOGY RULES

Staff at American Horse School are expected to follow some general rules when using or supervising activities involving computers or technology equipment.

1. Security
   A. All staff using a computer must complete an annual Security Awareness review and test through the Department of Interior. This is commonly known as Federal Information System Security Awareness + Privacy and Records Management Training (FISSA+). IT or designated personnel is the POC for this activity. For the 2025-2026 school years, this must be completed by September 30, 2025.
   B. Usernames and passwords will not be shared. If a teacher has a Paraprofessional or Aid, that person must have their own uniquely assigned Username and Password. (No Exceptions).
   C. All staff assigned or using a computer must have a username and password of their own (Obtain from the Technology Coordinator).
   D. All students will use the same username and password in every computer lab.
   E. Computers and technology equipment will not be removed from school grounds unless you are on official business.

F. Computers will not be moved from their assigned location without consent from administration and knowledge of the technology coordinator.
G. Staff will store their individual work files on jump drives.
H. Staff use of personal technology in the school is not authorized. All computers (except Chromebooks) will be assigned to the BIE Domain which provides Anti-Virus and Malware protection.

2. Use of Equipment and Computer Labs
   A. Report all technology issues to designated personnel immediately and they will be handled as soon as possible.
   B. Cell phones should not be used by staff in a way that disrupts or interferes with a staff member's job duties.
   C. Student use of cell phones, iPads, iPods, and other devices are never authorized. They will only use laptops and Chromebooks provided through the school.
   D. Chromebooks are assigned through Google Education Administration – all students must have unique usernames and passwords to use Chromebooks. Teachers using Chromebooks are responsible for coordination for student access to these devices through the Technology Coordinator.
   E. Teachers will conduct after use inspections of laptops and Chromebooks after each class use. All damage or troubleshooting needs will be recorded and reported to the Technology Coordinator as soon as possible.
   F. All computer labs are monitored by an assigned staff member. This staff member is your first point of contact for all needs within the lab. That person will work with the Technology Coordinator to address all needs.
   G. Teachers must maintain a seating chart for student use of the computer labs. If a student uses a different seat, make a note of this.
   H. Computer labs will only be used when supervised by the teacher and authorized staff. Active monitoring is necessary to prevent damage to equipment (students must be prevented from removing or damaging equipment such as keypad keys, cables or damaging lab tables).
   I. Do not clean computer screens with any cleaning solvents other than authorized screen wipes.
   J. Staff is responsible for maintaining a clean working environment and keeping their technology equipment dusted and clean.
   K. Computer labs will be free of clutter.
   L. Students will not consume food, candy, gum and drinks in the computer labs or near any technology.
   M. Streaming radio or video is not authorized.
   N. You Tube and other educational videos may be used as long as they are incorporated into the lesson plan.
   O. Internet activities are to be limited to those that support the educational goals and mission of the school.

3. Website and Social Media, and Email

A. Staff must use their school issued Email account (coordinate through IT) to complete school related correspondence.
B. American Horse School has a website located at www.americanhorsechiefs.org.
C. Staff can access the NASIS portal from the school website.
D. Teachers are asked to provide input to the website the first and third Wednesday of each month. This should be minimal in nature – a picture with a short narrative. Items can be submitted to designated personnel. New teachers are encouraged to submit a short bio to enhance the location of their actual webpage within the school website.
E. Student names will not be posted on websites or social media.
F. Social media, instant messaging, peer-to-peer, file sharing, and chat sites should not be used during school day or on school activities.
G. American Horse School does have an official Social Media presence. The school shall designate an official staff member to complete the social media updates.
    i. American Horse School will have a designated staff member that is responsible for updating the social media page.
    ii. Staff requesting updates to the social media page will send the request to the social media designated staff members.
    iii. The staff member designed to update the official school social media page will submit these requests to the school administrator for approval prior to completing the updates.
    iv. The school administrator shall approve these updates in writing prior to the updates being posted.

3.63 SOCIAL MEDIA USE POLICY

1. **Purpose.** The School recognizes the value of teacher inquiry, investigation and research, and innovation using new technology tools to enhance the learning experience. The school also recognizes its obligation to teach and ensure responsible and safe use of these technologies.

   This policy addresses employees' use of publicly available social media networks including personal Web sites, Web logs (blogs), wikis, social networks, online forums, virtual worlds, Facebook, Twitter, Snap, TikTok and any other social media.

   The School takes no position on employees' decision to participate in the use of social media networks for personal use on personal time. However, use of these media for personal use during school time or on school equipment is prohibited. In addition, employees must avoid posting any information or engaging in communications that violate tribal, state or federal laws, school policies, or which disrupt the educational environment or damage the reputation of the School.

2. **General Statement.** The School recognizes the importance of online social media networks as a communication and e-learning tool. Toward that end, the School may provide password-protected social media tools and School-approved technologies for e-learning and encourages use of School tools for collaboration by employees. However, public social media networks, outside of those sponsored by the School, may not be used for classroom instruction or

school-sponsored activities without the prior authorization of the supervising Administrator, or their designee, **and** written parental/guardian consent for student participation on social networks. The School may use these tools and other communication technologies in fulfilling its responsibility for effectively communicating with the general public.

However, employees must avoid posting any information or engaging in communications that violate tribal, state or federal laws, school policies, or which disrupt the educational environment or damage the reputation of the School.

The line between professional and personal relationships is blurred within a social media context. Employees are not permitted to engage with students in a social media context outside of School approved programs, unless the communication is approved by the supervising School Administrator **and** the school has received parental/guardian consent in writing. When employees choose to join or engage with School student families or fellow employees, in a social media context that exists outside those approved by the School, they are expected to maintain their professionalism as School employees. In addition, employees have a responsibility to report inappropriate behavior or activity on these networks, including requirements for mandatory reporting.

3. **Definitions.**

   A. **Public social media networks** are defined to include Web sites, Web logs (blogs), wikis, social networks, online forums, virtual worlds, and any other social media generally available to the public or consumers and which do not fall within the School's electronic technologies network (e.g. Facebook, Twitter, LinkedIn, Flickr, YouTube, TikTok, Snap, blog sites, etc.).

   B. **School approved password-protected social media tools** are those that fall within the School's electronic technologies network or which the School has approved for educational use. The School has greater authority and responsibility to protect minors from inappropriate content and can limit public access within this limited public forum.

4. **Requirements.** All employees are expected to serve as positive ambassadors for our school and to remember they are role models to students. Because readers of social media networks may view the employee as a representative of the School, the School requires employees to observe the following rules when referring to the School, its students, programs, activities, employees, volunteers and communities on any social media networks:

   A. An employee's use of any social media network and an employee's postings, displays, or communications on any social media network must comply with tribal, state and federal laws, school policies, and must not disrupt the educational environment or damage the reputation of the School.

   B. Employees may not post on public social media networks during working hours without advance approval by the supervising Administrator.

C. Employees must be respectful and professional in all communications (by word, image or other means). Employees shall not use obscene, profane or vulgar language on any social media network or engage in communications or conduct that is harassing, threatening, bullying, libelous, or defamatory or that discusses or encourages any illegal activity or the inappropriate use of alcohol, use of illegal drugs, sexual behavior, sexual harassment, or bullying.

D. Employees shall not use their School e-mail address for communications on public social media networks that have not been approved by the School.

E. Employees must make clear that any views expressed are the employees' alone and do not reflect the views of the School. Employees may not act as a spokesperson for the School or post comments as a representative of the School, except as authorized by the supervising Administrator, or their designee.

F. When authorized as a spokesperson for the School, employees must disclose their employment relationship with the School.

G. Employees may not disclose information on any social media network that is confidential school information, including but not limited to information concerning students and employees, or information that is protected by the Federal Educational Right to Privacy Act (FERPA), or any data privacy laws.

H. Employees may not use or post the School logo on any social media network without permission from the supervising Administrator, or their designee.

I. Employees may not post images on any social media network of co-workers without the co-workers' consent.

J. Employees may not post images of students on any social media network without written guardian consent, except for images of students taken in the public arena, such as at sporting events or fine arts public performances.

K. Employees may not post any nonpublic images of the School premises and property, including floor plans.

L. The School recognizes that student groups or members of the public may create social media representing students or groups within the School. When employees, including coaches/advisors, choose to join or engage with these social networking groups, they do so as an employee of the School. Employees have responsibility for maintaining appropriate employee-student relationships at all times and have responsibility for addressing inappropriate behavior or activity on these networks. This includes acting to protect the safety of minors online. Any social media group authorized as a student activity site or page or group, must be approved by the supervising Administrator and

must be monitored for content by a designated employee, who is responsible for enforcing this Social Media Policy, and any student social media policies.

M. Employees who participate in social media networks may decide to include information about their work with the School as part of their personal profile, as it would relate to a typical social conversation. This may include:

N. Work information included in a personal profile, to include School name, job title, and job duties.

O. Status updates regarding an employee's own job promotion.

P. Personal participation in School-sponsored events, including volunteer activities.

Q. If an employee lists the School as their place of employment on a social media platform, they must include the statement on that platform profile that "any views expressed on this page are not the views of, nor are they endorsed by, the American Horse School."

5. **Enforcement.** Violation of this Social Media Policy will result in disciplinary action up to and including termination of employment. Employees will be held responsible for the disclosure, whether purposeful or inadvertent, of confidential or private information, information that violates the privacy rights or other rights of a third party, or the content of anything posted on any social media network.

   Anything posted on an employee's Social Media, personal Website, or other Internet content for which the employee is responsible will be subject to all School policies, rules, regulations, and guidelines.

3.64 ASBESTOS NOTIFICATION TO PARENTS, STUDENTS, AND EMPLOYEES

(Required by the *Asbestos-Containing Materials in Schools Rule,* §§763.84(c) and 763.93(g) (4)). *Asbestos* is a naturally occurring fibrous mineral which, until about 1980, was commonly used in building construction. Asbestos will not burn, is an excellent insulator, has great tensile strength, is resistant to chemicals, is a nonconductor of electricity, and absorbs sound. Examples of *asbestos-containing building material (ACBM)* are vinyl floor tile, sprayed-on acoustical ceiling material, pipe and boiler insulation, and roofing felt. As ACBM deteriorates over time, or is disturbed by maintenance, renovation, or demolition activities, it may become *friable*, i.e., it is capable of being reduced to powder by hand pressure. When ACBM becomes *friable*, asbestos fibers are released into the air. Inhalation of these airborne, microscopic asbestos fibers has been proven to cause such fatal diseases as lung cancer, mesothelioma (cancer of the lining of the lung or abdominal cavity), and asbestosis (scarring of lung tissues). Uncontrolled asbestos contamination in buildings has been, and remains, a significant environmental and public health issue. In 1986, Congress enacted the *Asbestos Hazard Emergency Response Act (AHERA)* to require public and private, secondary and elementary schools to identify ACBM in their school buildings and take appropriate actions to control the release of asbestos fibers. In 1987, the US Environmental Protection Agency finalized a regulatory program which enforces the *AHERA*

mandate. These regulations are incorporated within the *Asbestos-Containing MaterialsinSchools Rule*(40C.F.R.Part763,SubpartE).

Incompliancewiththe*Asbestos-ContainingMaterialsinSchoolsRule*,the _**AmericanHorseSchool** School/School District had its school building(s) inspected by an asbestos inspector, accredited by the State of _**SO. DAK.** During that inspection, areas of suspect ACBM were identified. The type, condition, and location of this ACBM were noted. Samples were taken of some or the entire suspect ACBM. Laboratory analysis of these samples confirmed the presence or absence of ACBM. Suspect ACBM not sampled and analyzed were assumed to contain asbestos. Confirmed and/or assumed ACBM currently remain in certain locations in our school building(s) *(list types and locationsofACBM)*.

Upon confirmation of the presence of ACBM, an Asbestos Management Plan was developed for each of the school buildings in the School/School District by an asbestos management planner, accredited by the State of **SO.DAK.**

TheAsbestosManagementPlan(s)includeadescriptionofthemeasurescurrentlybeingtakentoensure that theACBMremaininginourschoolbuilding(s)ismaintainedinaconditionthatwillnotposeathreattothehealthof our students and employees. These Plan(s) describe past response actions taken to abate ACBM, as well as response actions planned for the future, including *(See* Asbestos Management Plan(s)*)*. The Asbestos Management Plan(s) provide information on the periodic monitoring of the condition of ACBM remaining in our school building(s) through triennial re-Inspections, conducted by accredited asbestos inspectors, and through semiannual surveillance, conducted by trainedschool maintenance staff.

A copy/copies of the Asbestos Management Plan(s) is/are available for your review in the School/School District administrative office during regular office hours. _**8:00- 4:00 pm** _is the designated Asbestos Program Coordinator for the School/School District. Please direct all inquiries regarding the Asbestos Management Plan(s) to him/her at telephone 6 0 5 **-455-1209** _.

APPENDIX 3-A TITLE IX DEFINITIONS (34 C.F.R 106.2)

Section § 106.2 of the 2024 amendments includes a number of definitions. When those defined terms are used in this policy, they have the meaning set forth in § 106.2.

A. *Complainant* means:
   (1) A student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX or its regulations; or
   (2) A person other than a student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX or its regulations and who was participating or attempting to participate in the AHS's education program or activity at the time of the alleged sex discrimination.

B. *Complaint* means an oral or written request to AHS that objectively can be understood as a request for the AHS to investigate and make a determination about alleged discrimination under Title IX or its regulations.

C. *Disciplinary sanctions* means consequences imposed on a respondent following a determination under Title IX that the respondent violated the AHS's prohibition on sex discrimination.

D. *Party* means a complainant or respondent.

E. *Relevant* means related to the allegations of sex discrimination under investigation as part of these grievance procedures. Questions are relevant when they seek evidence that may aid in showing whether the alleged sex discrimination occurred, and evidence is relevant when it may aid a decisionmaker in determining whether the alleged sex discrimination occurred.

F. *Remedies* means measures provided, as appropriate, to a complainant or any other person AHS identifies as having had their equal access to the AHS's education program or activity limited or denied by sex discrimination. These measures are provided to restore or preserve that person's access to the AHS's education program or activity after a recipient determines that sex discrimination occurred.

G. *Respondent* means a person who is alleged to have violated AHS's prohibition on sex discrimination.

H. *Retaliation* means intimidation, threats, coercion, or discrimination against any person by AHS, a student, or an employee or other person authorized by AHS to provide aid, benefit, or service under AHS's education program or activity, for the purpose of interfering with any right or privilege secured by Title IX or its regulations, or because

the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the Title IX regulations.

I. *Sex-based harassment* is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex, including on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity, that is:

(1) *Quid pro quo harassment*. An employee, agent, or other person authorized by the recipient to provide an aid, benefit, or service under the recipient's education program or activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct;

(2) *Hostile environment harassment*. Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the recipient's education program or activity (i.e., creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:

a. The degree to which the conduct affected the complainant's ability to access the recipient's education program or activity;
b. The type, frequency, and duration of the conduct;
c. The parties' ages, roles within the recipient's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;
d. The location of the conduct and the context in which the conduct occurred; and
e. Other sex-based harassment in the recipient's education program or activity; or

(3) *Specific offenses*.

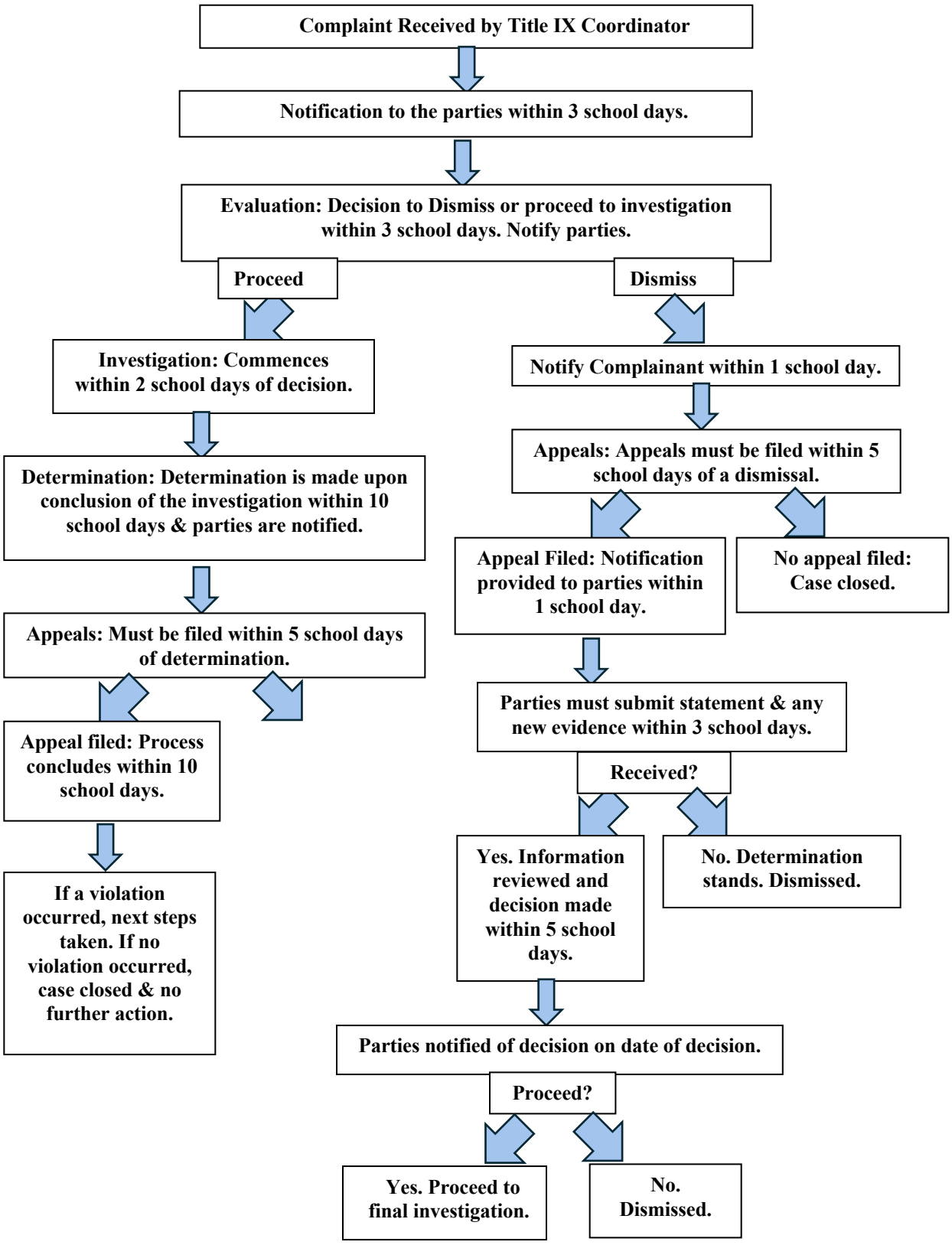
a. Sexual assault meaning an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation;
b. Dating violence meaning violence committed by a person:
   (i) Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
   (ii) Where the existence of such a relationship shall be determined based on a consideration of the following factors:
      (a) The length of the relationship;
      (b) The type of relationship; and
      (c) The frequency of interaction between the persons involved in the relationship;

c. Domestic violence meaning felony or misdemeanor crimes committed by a person who:
   (i) Is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction of the recipient, or a person similarly situated to a spouse of the victim;
   (ii) Is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;
   (iii) Shares a child in common with the victim; or
   (iv) Commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction; or
d. Stalking meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
   (i) Fear for the person's safety or the safety of others; or
   (ii) Suffer substantial emotional distress.

J. *Supportive measures* means individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a complainant or respondent, not for punitive or disciplinary reasons, and without fee or charge to the complainant or respondent to:
   (1) Restore or preserve that party's access to the recipient's education program or activity, including measures that are designed to protect the safety of the parties or the recipient's educational environment; or

Provide support during the recipient's grievance procedures or during an informal resolution process.

APPENDIX 3-B: TITLE IX COMPLAINT PROCEDURES FLOW CHART



APPENDIX 3-C: Minimal Facts Interview Form

The purpose of the Minimal Facts Interview (MFI) is to determine if there is reasonable cause to suspect child maltreatment (i.e., child abuse or neglect) without asking for unnecessary details or conducting a formal investigation after a disclosure, report or visual observations. The questions focus on gathering essential information after a child abuse allegation to assess safety and determine the need for further investigation or intervention, primarily focusing on who, what, when and where the alleged incident occurred. These questions are often conducted by first responders, typically law enforcement or child protective services, however in some instances AHS employees may need to conduct the MFI. The questions must be brief and non-leading, avoiding detailed inquiry of the incident at the very first stage of a disclosure.

Purpose of Minimal Facts Interview:

- Collect minimal facts information
- Assess child safety and well-being
- Assess risk of immediate danger
- Assess need for immediate medical care
- Document everything in the exact words or phrases of the child
- Provide information gathered to first responders (law enforcement and/or child protection services)

Information needed through open-ended questions:

- Identification of the suspect/alleged perpetrator
- Time frame of last incident
- Jurisdiction (possibly)

Dangers of multiple interviews/interviewers:

- Inconsistencies
- Suggestibility
- Recantation
- Child feeling she/he is not believed
- Possible increase in trauma

Minimal Facts Interview Questions:

What happened? (i.e., "Tell me all about _____.")
Who did it?
Where?
Last time?

APPENDIX 3-D: AHS Child Abuse Neglect Reporting Form

American Horse School	Report Date:	Report Time:
SCHOOL INFORMATION		
1. Reporting School	2. School Principal or Designee:	
3. School Phone Number:	4. School Principal Phone Extension or Cell Phone Number:	

PERSONAL INFORMATION OF VICTIM (Required)			
5. Last Name: First Name: Middle Name:			
6. DOB:	7. Age	8. Grade Select Grade	9. Sex Select Gender

10. Check suspected Abuse:

- ○ Physical Abuse.
- ○ Emotional Abuse
- ○ Sexual Abuse
- ○ Neglect (Basic needs- food, clothing, shelter
- ○ Neglect (Medical)
- ○ Neglect (Educational)

10. Describe the specific incident (do not leave blank)	
11. Name of Parent(s), Guardian, Custodian (required):	12. Relationship to victim:
13. Contact Telephone Number of Parents, Guardian, or Custodian: ( ) -	
14. Complete Mailing Address: (Required)	15. Physical Location of Residence (Required):

ALLEGED OFFENDER INFORMATION (Required):	
16. Full Name of Alleged Offender (If a minor/peer, then indicate age or grade in box 17)	17. Alleged Offender's Position/Status (Required) ___AHS Employee ___ AHS Contractor/ Consultant ___ Volunteer ___ Relative: Specify_____
18. If AHS Employee, Position Title:	

19. Contact Information for Alleged Offender: Day Telephone: ( ) - Address or Physical Location:	___ Other Specify_____ ___ Student* (age) *Refer to school/agency policies and procedures for any alleged offenders under the age of 18 or classified as a student.

20. Location of alleged incident:	21. Date of alleged incident:	
	22. Time of the alleged incident:	
23. Describe the incident:		
24. Full Names and telephone numbers of potential witness(es):		

25. Check Suspected Activity or Abuse:

- AHS employee engaged in discourteous conduct involving a student, such as using inappropriate language, making inappropriate comments of a non-sexual manner, calling names, insulting or humiliating a child, shouting, cursing;
- Rude, boisterous play that adversely affect production, discipline, or morale of student;
- Use of abusive, demeaning, degrading, or insulting language;
- Quarreling or inciting to quarrel;
- Any situation that is comparable in nature to the examples and situations identified above.
- Physical Abuse (Circle one of the following that applies: Level I or Level II)
- Emotional Abuse (Circle one of the following that applies: Level I or Level II)
- Sexual Abuse (Circle one of the following that applies: Level I or Level II)
- Neglect (Circle one of the following that applies: Level I or Level II)

Mandatory Reporter Information	
26. Full Name and Title of Mandatory Reporting above incident:	27. Signature: Date:
28. Full Name of School Principal or Designee:	29. Signature: Date:

30. Has the Mandatory Reporter Requested Protection of their identity? Yes No	31. Initials of Mandatory Reporter:

Tracking of Notifications

LAW ENFORCEMENT NOTIFICATION Only indicate actual law enforcement agency (Required):				
Date and Time of Report:	Agency Contacted	Person Contacted, Title & Telephone Number		Date & Time of Report
Verbal Contact (Required):				Written Contact (Required)
Date & time	Tribal:		☐fax ☐email ☐Hand-delivered	Date & time
Date & time	BIA Law Enforcement:		☐fax ☐email ☐Hand-delivered	Date & time
Date & time:	Local/State/ Other:		☐fax ☐email ☐Hand-delivered	Date & time
IF APPLICABLE, indicate the Law Enforcement Report/Case Number:				

Social Services/Child Protective Services Only indicate actual agency contacted (Required):				
Date and Time of Report	Agency Contacted	Person Contacted, Title & Telephone Number		Date & Time of Report
Verbal Contact (Required)				Written Contact (Required)
	Tribal:		☐fax ☐email ☐Hand-delivered	Date & time
	Local:		☐fax ☐email ☐Hand-delivered	Date & time
	State:		☐fax ☐email ☐Hand-delivered	Date & time

APPENDIX 3-E: AHS Employee Non-Physical Incident Reporting Form

American Horse School	Report Date:	Report Time:
SCHOOL INFORMATION		
1. Reporting School	2. School Principal or Designee:	
3. School Phone Number:	4. School Principal Phone Extension or Cell Phone Number:	

PERSONAL INFORMATION OF VICTIM (Required)			
5. Last Name:	First Name:		Middle Name:
6. DOB:	7. Age	8. Grade	9. Sex

10. Type of Incident:
☐ Non-Physical Contact

☐ Mental ☐ Emotional ☐ Verbal ☐
Other:_____

11. Describe the specific incident (do not leave blank):	
12. Name of Parent(s), Guardian, Custodian (Required):	13. Relationship to victim:
14. Contact Telephone Number of Parents, Guardian, or Custodian: ( ) -	
15. Complete Mailing Address: (Required)	16. Physical Location of Residence (Required):

ALLEGED OFFENDER INFORMATION (Required):		
17. Full Name of Alleged Offender (If a minor/peer, then indicate age or grade in box 17)		18. Alleged Offender's Position/Status (Required) ☐ AHS Employee ☐ AHS Contractor/Consultant ☐ Volunteer ☐ Relative* ☐ Other* ☐ Student** (age or grade) *Please specify if selected Relative or Other: _____ **Refer to school/agency policies and procedures for any alleged offenders under the age of 18 or classified as a student.
19. If AHS Employee, Position Title:		
20. Contact Information for Alleged Offender: Day Telephone: ( ) - Address or Physical Location:		
21. Location of alleged incident:	22. Date of alleged incident:	
	23. Time of the alleged incident:	
24. Full Names and telephone numbers of potential witness(es):		

Reporting Staff Information	
25. Full Name and Title of Staff Reporting above incident:	26. Signature (Required): Date:
27. Full Name of School Principal or Designee:	28. Signature (Required): Date:
29. Has the Reporter Requested Protection of their identity? Yes ☐ No ☐	30. Initials of Reporter: _____

Additional page for you to write down any notes or questions you have about the handbook, so that you may ask administration.

SECTION 4- STUDENT POLICIES

OGLALA SIOUX TRIBAL ORDINANCE NO. 17-10

AMERICAN HORSE SCHOOL VISITATION POLICY:

WE AT AMERICAN HORSE SCHOOL WELCOME ALL VISITORS BUT FOR THE SAFETY OF OUR STUDENTS AND STAFF ALL VISITORS MUST CHECK IN AND OUT AT THE FRONT OFFICE AND RECEIVE A VISITOR'S PASS. IF YOU DO NOT HAVE A VISITOR'S PASS, YOU WILL BE ASKED TO RETURN TO THE FRONT OFFICE TO GET ONE

4.01 EXPECTATIONS

To maintain integrity and promote Lakota values and the high ideals of education, students enrolling at American Horse School are expected to maintain high standards of personal conduct.

4.02 STUDENT RESPONSIBILITIES

The Student Bill of Rights implies corresponding responsibilities, which the student shall accept and not infringe upon the rights of others within the school.

1. To obtain an education. Students must regard the opportunity of obtaining an education as one of their duties to the community. It is their responsibility to attend class regularly and complete their assignments including homework.
2. To follow school rules. The student must obey recognized rules and procedures developed by the school/community.
3. To practice self-control. The student must refrain from inflicting bullying (verbal, cyber, social media, and physical) and/or bodily harm on other individuals and respect the privacy of their person and property.
4. To know the grievance procedure. The student must be informed of the proper methods and channels of complaints and make use of them when necessary.
5. Demonstration respectful behavior.

4.03 ENTRANCE AGE

Children five (5) years of age by December 31 of the ensuing school term at American Horse School shall be eligible to enroll in kindergarten (25 CFR Part 39 ISEP Section 39.11).

4.04 STUDENT EQUIPMENT AND SUPPLIES RECORDS

Teachers, other employee's and students\parents will be responsible for items that have been issued for their use and may be requested to replace damaged or stolen items at their expense.

All school owned equipment and supplies for extra-curricular activities shall be issued at the beginning of each season and returned at the end of each season. The Athletic Director, coaches, and/or designated staff members will complete and maintain accurate records on all school

equipment and supplies. Students that have been issued items for their use may be requested to replace damaged or stolen items at their expense.

4.05 STUDENT SAFETY/SUPERVISION

The administration shall develop safety rules including ways in which student safety requires special supervision, protection, and precautions at dismissal and instruction for safety on the way home from school.

Teachers have the primary responsibility for the supervision of students under their care.

Students shall be supervised at all times during the school day and at all school-related activities.

Observation and instruction of safe practices on the part of school personnel and students, particularly in those areas of instruction or extra-curricular activities posing special hazards. (Such as archery, science experiments, etc.) **At no time are students to be left unsupervised**.

Students may not attend any school activities unless accompanied by an adult. If a child is not a direct participant in the school activity, then a parent/guardian must supervise their student at all times.

Students that have been suspended, are placed in in-school suspension, out of school suspension, sent home due to illness, or are absent will NOT BE ALLOWED to participate in and/or attend any school activities.

All exterior doors shall remain locked during school hours per school safety laws. Entrance will be through front door only. If students have already been entered and cleared the proper security process though the primary entrance door, then they are permitted to use other entrances while with school staff.

AHS provides students with a clear backpack for school use. Only students participating in authorized school activities may use an additional non-clear backpack. Backpacks are subject to search and seizure upon entry to the buildings.

4.06 SEARCHES, INTERVIEWS, SEIZURES AND USE OF METAL DETECTORS AND DETECTION WANDS

AHS has determined that the presence of controlled substances on school grounds in the past year and threats from weapons has resulted in a real and serious threat to the health and safety of students and personnel that warrants additional student screening procedures upon entry to the School. To address this threat, the School may conduct searches of student backpacks and bags upon entry to the School grounds and after exiting and re-entering the School building. The School may also install a metal detector and use detection wands at the entry doors to the School for the purpose of preventing the presence of weapons in the School and require all students to clear the metal detector. Any student who does not clear the metal detector or detection wand

screening will be subject to search of their personal property and person prior to entry. Students and parents are notified with the adoption of this Policy that the School may conduct random search upon entry to the building to mitigate the serious and real risk posed by the presence of weapons and/or controlled substances in the school.

The school reserves the right to search students and/or their personal property when a school official, a teacher, or staff member has reasonable suspicion that the student has violated the law or school policy, or poses a threat to the health and safety of students, based upon a reasonable suspicion that drugs, alcohol, or weapons are present in a student's personal property, or there is reasonable suspicion and an immediate need to secure evidence relating to a criminal offense (assault, drug offenses, etc.). If a student is suspected of using their cell phone or electronic device in violation of AHS policy, staff or administrators may reasonably search the contents of the student's phone for evidence of the specific violation. School Officials have the authority to conduct searches of individual student(s) and the student's property. Authority for these searches may be exercised as needed in the interest of safeguarding students, staff, student's property and school property. After a student has entered the School, the student's personal effects including suitcases, bags, storage containers, backpacks, purse, or wallet will not be searched without the student's presence and permission unless there is a clear indication with reasonable suspicion that a law or school regulation have been broken. Reasonable suspicion proves that school/dormitory or officials are not under the more stringent conditions of probable cause as are law enforcement officials. The School Resource Officer is also covered under the conditions of reasonable suspicion when directed by the School Administrator.

In order to maintain a safe and positive learning environment in the school, any student suspected of being intoxicated, under the influence of controlled substances or alcohol, and/or in possession of controlled substances, or contraband may be searched by school officials, including personal items such as bags, purses, etc.. Students who refuse to submit to a search may be referred to appropriate law enforcement authorities if such action is deemed necessary by the administration.

If an actual student search is deemed necessary, as staff members of the same sex as the student and with the same sex witness must do the search. If probable cause exists, "law enforcement will decide is a strip search is required based on law enforcement procedures. Under no circumstances will the school/dormitory officials conduct a strip search on any student".

Staff have the right to examine any personal property left unattended on school grounds and such activity does not constitute a search. This includes search of cell phones and other items including backpacks and purses.

All students have the right to a reasonable degree of privacy, but that privacy does not extend to the endangerment of the health and safety of other students or staff. The School recognizes and will preserve that student's right to privacy and security of personal effects. However, it is the inherent right of the School Officials to inspect each student possessions, backpacks, bags, and other storage space for safety and health hazards and/or a violation of the school/dormitory regulations.

School administrators and teachers have the right to question students regarding their conduct and/or the conduct of others.

School officials may grant law enforcement or school resource official's permission to use drug dogs property owned/or controlled by the AHS.

Backpacks and Handbags: Backpacks are subject to search and seizure upon entry to the buildings, when left unattended, or when there is reasonable suspicion that a law or school regulation has been broken.

4.07 DRUG DETECTION CANINES (DRUG DOGS)

At the discretion of the Administrator, a search of school buildings/grounds by drug detection canines (drug dogs) will be scheduled. The date of the search itself will not be announced. Building Administrator will be present during any scheduled search. A limited number of other staff and faculty (i.e. guidance counselors and drug and alcohol counselors) may be present during the search, at the discretion of the building Administrator.

Also, the handler of the drug dog can limit the number of persons in attendance to ensure the professionalism of the search and to protect potential evidence. Representatives of the media will not be present during the drug dog searches. During the search itself, students will not be present in the immediate areas of the search. The handler of the drug dog will conduct a "pre-search" of the area prior to introducing the drug dog to that area. During a search, the drug dog may alert to a particular personal item, backpacks, bags or vehicle. At the discretion of the Highway Patrol or police officer, the possession, area, and/or storage space in question will be secured and searched immediately by the law enforcement officers. If illegal drugs are found, the South Dakota law enforcement officers will seek out and question the user(s) of the possession, area, and/or storage space. When the identity of the person possessing the illegal drugs is established, an arrest will be made immediately. If illegal drugs are not found in the possession, area, and/or storage space to which the drug dog has alerted, the identification of that possession, area, and/or storage space will be disclosed to the school Administrator or their designee. The Administration and/or designee will contact the parents of the identified student to make the parent aware that the drug dog did alert on their student's property. This will be done in a confidential manner, not to call attention to the student.

4.08 INTERROGATIONS AND INVESTIGATIONS BY LAW ENFORCEMENT

Law Enforcement may be called to the school at the request of the respective Administrator, or Administrator designee, or the School Safety and Security Officer. Law enforcement shall contact the Administrator first if they wish to come to school for official business.

Prior to Law Enforcement questioning or detaining a student on a Law Enforcement matter, the respective Administrator shall inform the parent of such request and ask them to attend such interview, unless law enforcement directs the Administrator not to contact the parent or the investigation involves an Abuse and Neglect investigation involving the student, the student's siblings, and their legal guardian. If the parent does not approve of the interview, the interview shall not be held on school grounds. Students cannot be arrested for offenses taking place off

school grounds without a valid arrest warrant presented to the respective Administrator or Administrator designee.

4.09 STUDENT CONSULTATIONS

School administrators and teachers have the right to speak to students regarding their conduct and/or the conduct of others. Except where the alleged action would constitute a criminal offense, the right against self-incrimination does not exist.

Every effort shall be made to notify Parent(s) or Legal Guardian(s) of any pending searches or student consultations.

4.10 STUDENT INFRACTION INTERVIEWS

School administrators and teachers have the right to interview students regarding their conduct and/or the conduct of others. Except where the alleged action would constitute a criminal offense, the right against self-incrimination does not exist.

Every effort shall be made to notify Parent(s) or Legal Guardian(s) of any pending searches or interview.

If unable to reach a Parent or Legal Guardian, the office will notify parents of the student infraction interview in writing.

4.11 CHILD PROTECTION AND MANDATORY REPORTING

Child Protection: Public Law 101-630, the "Indian Child Protection and Family Violence Prevention Act" requires that Tribes and Tribal Organizations (including Tribally Controlled Grant Schools) report incidents or suspected incidents of child abuse or neglect which have occurred, which are occurring, or which may occur, to local law enforcement, the local child protection services agency or the child abuse hotline. The School Board has adopted this Policy to ensure that school employees and the School comply with this law and the laws of the Oglala Sioux Tribe, particularly the Child and Family Code, Chapter 4, Ordinance 07-13, on mandatory reporting of child abuse and neglect, and to provide a protocol for reporting that all school employees are required to follow.

Because of their regular contact with school-age children, school employees are in an excellent position to identify abused or neglected children. All AHS school employees are mandatory reporters under the law and are required to report suspected child abuse or neglect. In all cases, 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 their reasonable suspicions, or student disclosures, of abuse or neglect. Anyone who makes a report in accordance with the law and in good, based upon their reasonable belief, 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. Additionally, the person making the report shall

be protected from retaliatory actions by the School or any agent or representative acting on behalf of the School (i.e., supervisor, administration, etc.)

Any personal interview or physical inspection of the child should be conducted in a considerate and professional manner, but in no event should it be conducted by an employee of the American Horse School without at least an adult witness of the same gender as the child being present in the room. Upon disclosure of potential abuse and/or neglect by a child, a Minimal Facts Interview (MFI) is conducted by the staff member to whom the disclosure has been made. MFI's are best practice in child welfare and child abuse response. The MFI is a strategic method of inquiry designed to gather just enough information—the who, what, when, and where—of the alleged incident(s). All staff shall be trained annually, and new staff as they are onboarded, as to conducting a MFI. All information gathered shall be documented on the **Minimal Facts Interview Form *see* Appendix 4-A**. Information and records concerning reports of suspected abuse or neglect are confidential. Release of this confidential information to persons other than school employees with a need to know as part of their job duties or to law enforcement and social services personnel in the course of an investigation, is punishable by law. Failure by any mandatory reporter to make a report where abuse or neglect is suspected is also subject to the punishment under the law.

This policy will be distributed by the Principal 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. School personnel shall be trained on Child Abuse and Neglect Identification and Reporting.

The Board, and Administration, will support any employee making a report of suspected child abuse or neglect until and unless it is determined that the employee was acting in bad faith by making the report.

A child may be interviewed by school staff or law enforcement without the parent being notified or present, when the child has been allegedly abused in the home.

Definitions.

A. Child abuse is defined as: An act or failure to act which presents an imminent risk of serious harm." "Child abuse" includes but is not limited to:
    a. Any case in which:
        i. a child is dead or exhibits evidence of skin bruising, bleeding, malnutrition, failure to thrive, burns, fracture of any bone, subdural hematoma, soft tissue swelling, and
        ii. such condition is not justifiably explained or may not be the product of an accidental occurrence; or
    b. Any case in which a child is subjected to sexual assault/abuse, sexually explicit conduct, or sexual exploitation, including trafficking;
    c. A child has suffered mental injury, as a result of the conduct of a parent, guardian or custodian; or
    d. When used referring to an unborn child, serious physical harm inflicted on the unborn child, and the risk of serious physical harm to the child when born,

caused by the habitual lack of self-control of the expectant mother of the unborn child in the use of alcohol beverages, controlled substances, exhibited to a severe degree.

B. Child neglect includes but is not limited to, negligent treatment or maltreatment of a child by a person, including a person responsible for the child's welfare, under circumstances which indicate that the child's health or welfare is harmed or threatened thereby. Child neglect means:
    a. Physical neglect of a child – refusal to provide adequate health care; delay in the provision of adequate health care; abandonment; blatant refusal of custody; inadequate supervision; failure to provide adequate nutrition, clothing, or hygiene; conspicuous inattention to avoidable hazards in the home; or reckless disregard of the child's safety and welfare;
    b. Educational neglect of a child – permitted chronic truancy; failure to enroll the child in school; or inattention to the child's special education needs;
    c. Emotional neglect of a child – failure to provide adequate nurturing or affection; exposure to chronic or extreme spouse abuse; permitted drug or alcohol abuse; refusal to provide psychological care; delay in the provision of psychological care; or pressuring the child to engage in delinquent or criminal behavior; and
    d. Child neglect by definition – the parent, guardian or custodian has been convicted of a violent or sexual crime against a partner, spouse, or a sibling of the child; or has been convicted of a crime of a nature that demonstrates the person's unfitness to adequately parent the child.

2. Reporting Protocol.

School employees are expected to follow the reporting protocols set forth in this Section.

a. If any school employee suspects child abuse or neglect, it is the employee's responsibility to report to a Counselor, Nurse or Administrator immediately confidentially. The report must be made verbally and in writing on the American Horse School Child Abuse or Neglect Reporting Form (hereinafter "AHS Reporting Form"). **See Appendix 4-B.** The report must be completed by the end of the regularly scheduled work day.
b. The school employee filing the report and the Building Principal receiving the report, must also immediately report the suspected child abuse to the Oglala Sioux Tribe Department of Public Safety (hereinafter "OST DPS") located in Pine Ridge by:
    i. sending the completed AHS Reporting Form to the OST DPS; and
    ii. contacting OST DPS by telephone or email to confirm they have received the AHS Reporting Form.

The school employee must initiate the reporting and is responsible for ensuring the AHS Reporting Form is filed with the OST DPS within twenty-four (24) hours. The Principal shall be available to assist the employee in filing the AHS Reporting Form. The employee shall file the AHS Reporting Form directly with the OST DPS and a copy with the Principal. OST DPS and the Child Protection Services of the Oglala Sioux Tribe have the responsibility to investigate suspected child abuse. Any

employee who fails to file the AHS Reporting Form within twenty-for (24) hours is subject to discipline in accordance with AHS Personnel policies.

c. If the allegations of child abuse involve any school employee the referral will follow the same process listed above. The AHS Employee Non-Physical Incident Report Form located in **Appendix 4-C** will be used to document non-physical incidents involving school employee(s) and students. Activities that occur that do not meet the definition of "abuse" where no physical contact occurred but may include conduct that constitutes "grooming," and which involve employees are considered an "Incident" until the School makes a determination he conduct constitutes child abuse or neglect that must be reported. The determination of whether an incident constitutes suspected child abuse or neglect will be made by the Principal receiving the report no later than one (1) school day after the incident is reported. The Principal will intervene immediately to establish the validity of the incident report and to resolve the issue in accordance with AHS Personnel Policies as expeditiously as possible. All cases which constitute child abuse or neglect must be reported to OST DPS in accordance with this reporting protocol.
d. If an AHS Reporting Form filed with OST DPS involves the conduct of a school employee, or the Principal determines an Employee Incident involves a threat to the health or safety of any student or employee, the school employee will be placed on suspension pending investigation status by the Principal until the completion of the investigation by OST DPS or the School, and the suspension will be without pay.
e. The School Employee will be notified of the immediate suspension pending investigation without pay in writing by issuance of an Employee Notice. The Employee Notice must contain the following information:
    i. Date of the AHS Report to OST DPS
    ii. The type of abuse alleged
    iii. A brief summary of the allegation
    iv. That they may be contacted by law enforcement as part of the investigation in any case where the matter is referred to OST DPS.
f. In all cases of reporting to OST DPS, the school employee must remain in suspension pending investigation status until and unless the investigation by OST DPS is complete, or the School makes a decision to terminate employment in accordance with AHS Personnel Policies.
g. Once the investigation is completed, the Principal will make a determination in accordance with the AHS Personnel Policies regarding employment status and/or appropriate personnel discipline in accordance with AHS Personnel Policies. The School employee will be notified in writing. The employee is the expected to return to work the next business day following receipt of notice to return to work.

Nothing in this section prevents or supersedes the ability and responsibility of the School to take appropriate disciplinary action in the event the School determines there has been a violation of School Policies warranting disciplinary action.

4.12 CORPORAL PUNISHMENT

Corporal punishment is defined as inflicting physical pain or unnecessary restraining upon a student in order to punish him/her for misconduct.

To provide for a structure designed to promote Lakota values, the use of emotional abuse and corporal punishment will not be permitted by any staff member and will be grounds for immediate dismissal.

4.13 ATTENDANCE

Compulsory Attendance. The Administration is responsible for enforcing the compulsory school attendance laws as provided by the Oglala Sioux Tribal Code. Every child not exceeding the age of eighteen (18) years is required to be enrolled in a school system, unless otherwise provided by law.

If a student arrives 1 hour after the school day start time the student will be considered tardy and have to receive a tardy slip from front office. Exception: students arriving on late buses.

Any student who is dropped and does not re-enroll at another school within five (5) school days will be reported to the proper authorities.

4.14 EARLY RELEASE

Individuals requesting early release of student(s) must report to the front office to check out student(s) must fill out a Student Release Form before the student(s) will be taken out of class during the regular school day. Early release of students is not encouraged and can be counted as an absence.

Students will only be allowed to be checked out by persons listed in the student enrollment packet, or by authorized OST Personnel with court documents.

Parents / legal guardians must wait in the front office for the child.

Students must be present 50% of the academic day to be considered present for attendance.

4.15 STUDENT ABSENCES

The Bureau of Indian Education (BIE) and American Horse School defines the following terms that are specifically referenced in the American Horse School Policy manual.

Excused Absences- Doctor or dental appointments that cannot be met on non-school time. A letter or written documentation must be provided from the medical provider. The student is allowed to make up the missed work and the absence is counted against the attendance requirement. The students that are sick must have a doctors slip after three (3) consecutive days of absences. Parents/Guardians may call in for students that are sick for up to three (3) school days.

Unexcused Absences-These absences are counted against the attendance requirement and additional consequences may apply.

Tardy-When a student arrives one (1) hour after the school day start time will be designated as tardy.

Truancy- When a student misses ten (10) days of school, the school is required to report the infraction and provide relevant attendance records for said student, to the Child Protection Services (CPS) & OST Attorney General's Office per Oglala Sioux Tribe Ordinance 17-10.

*Exempt***-** Exempt absences can be designated at the discretion of the Administrator, and may account for periods of time in which students are with the school on an official activity but are not strictly participating in designated instruction time.

1. Teachers are required to submit student attendance within the NASIS system as soon as possible, but no later than ninety (90) minutes after the school day begins.
2. Students are required to attend their assigned classes regularly, be on time, and have the responsibility to make up any work missed.
3. Students must receive a class entry slip from the Administrative Office (front office) before being allowed into class when they are tardy.
4. Students are encouraged to do makeup work prior to leaving for school-related activities or advanced authorized absences in order to continue to be eligible for school related activities.
5. Upon request from the parent(s), the Administration may grant the student an **exempt for up to five (5)** absences from school or classes for:
    A. Serious illness of the student or a member of the student's immediate family. Immediate family is defined as: grandparents, parents, and siblings.
    B. Death of a member of the student's immediate family. Immediate family is defined as: grandparents, parents, and siblings.
    C. Other justifiable reasons authorized by the Administration. School Administration may require parent/guardian to provide additional documentation to justify exempt request.
6. Designated staff person shall report to the parent/legal guardian of said student in the following manner:
    A. After five (5) days of total absences by the student, a formal letter will be sent to the parent(s) / Legal Guardian(s) notifying them of the absences and truancy policy.
    B. After ten** (10) days of total absences, parent/guardian & student(s) will be contacted regarding attendance and a Truancy will be initiated. A Truancy action requires the School to report the truancy infraction along with relevant attendance records to the Child Protection Services (CPS) & OST Attorney General's Office per Oglala Sioux Tribe Ordinance 17-10 (Ordinance 17-10 is attached in the back of the handbook).

        ** ***Any days missed after 10 will automatically be reported to CPS and OST Attorney General's Office along with a formal letter sent home.***

    C. After 10 consecutive absences students will be dropped from enrollment. If a parent or legal guardian decides to re-enroll the student, they must come in and fill out an enrollment packet. Before the student is permitted to re-enroll in school, the Parent/guardian and the student(s) will be required to attend a mandatory attendance conference with School Administrator, Attendance Clerk, and Teacher(s) in an effort to

address student attendance issues. Following the attendance conference, the student will be placed on an attendance contract.

D. After the second time a student is dropped due to attendance, they will not be allowed to re-enroll that current semester at AHS and will have to meet with the AHS school board before re-enrolling.
E. After a total of thirty (30) unexcused absences, students will be dropped and they may be permitted to re-enroll at American Horse School if there is not a waiting list for the student's specific grade. Students that are permitted to re-enroll may be required to attend summer school and they will be placed on an attendance contract.
F. Tardy – Students that arrive one (1) hour after the school day start time will be designated as tardy. Students must get a tardy slip from the front office before going to the classroom. The teacher will change the absent to tardy and note the time in NASIS. The attendance clerk will post a listing of students who arrived tardy each day along with the listing of students checked out to the bus drivers no later than 3:30 pm each school day.
G. Six tardy equals one (1) absence.
H. After twenty (20) total absences, the student could potentially be retained at the current grade level in accordance with South Dakota State Law and OST Ordinance 17-10, unless the student demonstrates academic proficiency as defined by school administration. Parent/guardian and the student(s) will be required to attend a mandatory attendance conference with School Administrator, Attendance Clerk, and Teacher(s) in an effort to address student attendance issues. Following the attendance conference, the student will be placed on an attendance contract.

7. Any student that has missed twenty (20) days or more, from the previous school year will automatically start the following school year on an attendance contract.

4.16 RETENTION

Retention shall be used only when it is to the advantage of the student and shall be recommended by the teacher with the final assignment made by the Administration following a review of the individual case.

Teachers must confer with the student(s) parent(s) or Legal Guardian(s) by third (3rd) quarter of the school year. A student can be retained if they do not demonstrate academic proficiency as defined by school administration. Attendance may be used as a determining factor along with review of the defined academic proficiency.

A student can be retained for violation of the school attendance policies.

Students may need to attend summer school in order to be promoted.

4.17 BEHAVIOR POLICY MATRIX

1. Student Behavior Accountability System Policy Matrix Guidelines

The American Horse School Board has approved a student behavior accountability system that will guide staff in determining if a student has to complete In-school suspension, Out-Of-School suspension, Expulsion. This student behavior accountability system is designated more specifically to address minor and moderate behavior infractions. Students being evaluated for an

IDEA disability and students who are currently on an IEP, please refer to section 4.34. Special Education, Special Education Discipline Procedure.

A. Students will begin EACH quarter with five (5) chances.
   a. First (1st) reported Minor or Moderate infraction:
   b. The student will meet with the Assistant Principal.
   c. Based upon severity of the reported incident, school staff receive the right to send formal written documentation of student infraction to parents.

B. Second (2nd) reported Minor or Moderate infraction:
   a. The student meets one-on-one with the Assistant Principal.
   b. During this one-on-one meeting, the Assistant Principal will call the students' parents/guardian and formally notify them of the infraction.
   c. Formal written documentation of student infraction is sent to parents.

C. Third (3rd) reported Minor or Moderate infraction:
   a. The student is placed in In-School Suspension for the remainder of the day and the parent/guardian are notified that they must come to the school and meet with their student and the Administrator.
   b. The student will remain in In-School Suspension until a parent/guardian comes to the School and meets with the Administrator.
   c. After the meeting, the parent/guardian will be required to attend class with their student for the remainder of the school day.
   d. Students are not permitted to return to school until the parent/guardian has met with the Administrator and has attended classes with their student for the remainder of the school day in an attempt to regulate student behavior.

D. Fourth (4th) reported Minor or Moderate infraction:
   a. The student is immediately placed in Out-Of-School suspension status and sent home. The parent/guardian is informed of their student's status.
   b. The parent/guardian is required to bring their student to the school and participate in a behavior meeting with their Student, the Administrator, and the Administrator. This meeting will focus on implementing a behavior contract* aimed at regulating student behavior.
   c. If the student violates the contract they will be placed in Out-Of-School Suspension and will be scheduled to meet with the School Board.
   *d. *At the Administrator's discretion, the student behavior contract may remain in effect into the next quarter.*

E. Fifth (5th) reported Minor or Moderate infraction:
   a. The student will be placed in Out-Of-School suspension until the students and their parent/guardian meet with the school board.

F. For a major reported infraction that is considered severe:
   a. The student will automatically be placed in or considered for In-School Suspension, Out-of-School Suspension, and/or Expulsion.
   b. Based upon the severity of the reported infraction, and for the safety of staff and other students, the student that exhibited the reported behavior, may immediately be recommended for expulsion.
   c. If expulsion is recommended, the student will be immediately placed in Out-of-School Suspension until they can meet with the school board.

G. If a student receives two (2) Major infractions reports during the school year, the student and their parent/guardian will be required to meet with the school board.
H. Minor, moderate, or major infractions are defined in the AHS student Handbook Behavior Policy Matrix.
I. Instructional/school staff must report student incidents to the Administrator at the time of the infraction using the incident reporting form. Parents/guardians will be provided with a copy of the incident by bus drivers to their place of residence.
J. If a student is removed from the classroom the instructional staff must call the parent within 24 hours.
K. All incidents will be handled up to Administrator's discretion.
L. A quarterly update of the student's behavior report will be attached to the report card.
M. Students who transfer out while they are in Out-Of-School Suspension in lieu of expulsion will not be permitted to re-enroll within the current school year. Students who wish to reenroll at AHS will have to wait until the following new school year.
N. The administration or School Board can require a meeting with student and parents/legal guardian regarding points and/or an infraction at any time.

2. School Wide Rules

A. Use positive words, and no profane language tolerated.
B. Keep hands, feet and all other body parts to yourself. No touching or horseplay!
C. No jumping up and hitting the doors, ceiling, or tipping chairs.
D. The school prohibits graffiti on any school walls, buildings, furniture, including school supplies such as calendars, textbooks, 3-ring binders, computers, homework assignments or anything else school related. Assignments with graffiti will not be accepted but may be resubmitted at the discretion of the teacher.
E. Bathroom breaks should be taken during breakfast and lunch, in accordance with grade level team plans.
F. Computers must be used for school related activities only. Misuse of computers will result in the loss of computer privileges. Many classes require computer-based assignments and/or curricula and loss of computer privileges may negatively impact student grades.
G. Incomplete assignments will be completed afterschool. (All assignments must be complete in order to participate in any activities).
H. All students should have a novel with them to read at all times! If students complete work early you are to read your novel silently.
I. Any students refusing to remove hooded garment and/or head gear (stocking caps or hats) of any kind will result in confiscation of item until the end of the day.
J. Students are not allowed to bring seeds or permanent markers to the school.
K. No candy, chips, pop, or other food items are to be brought to school, unless it is a special occasion or it is provided by the instructor(s).
L. Students are not permitted to bring a personal electronic device (cellular phones, headphones, electronic tablets, iPads, smart watches, etc.) to school or school related activities.
M. If a student brings a personal electronic device to school or school related activities, it will be confiscated. If students refuse to turn in personal electronic devices, school

personnel will confiscate the electronic devices and write up the students. **American Horse School is not liable for lost or stolen items.**

a. If the personal electronic device is confiscated, the parent/guardian must come pick up the device.

N. Girls are not to wear heels, spaghetti straps, low cut shirts, jeans or pants that are cut or ripped in and around the seat or back pocket area, or shirts that show their stomach, or high skirts/shorts/jeans.

O. Boys are not to wear any undershirts as a shirt or baggy pants hanging below the belt line.

P. Appropriate attire should not include sexual related connotations, promote alcohol/drugs, violence, and/or gang affiliation on clothing.

Q. No hickeys (including pinch hickeys).

R. Walk respectfully to and from your destination.

S. No Vaping or E-Cigarettes.

3. Cafeteria Rules

A. Respect the custodians, and clean up after yourself.

B. Stay in line, and sit with your homeroom.

C. Food and trays must stay on the tables at all times.

D. Keep noise to a minimum.

E. Keep all body parts and objects to yourself.

F. Ask for permission to leave your table for restroom, drinks, or for seconds.

G. Respect the kitchen staff.

H. Food or utensils should not leave the cafeteria.

I. No throwing food.

J. Walk respectfully to and from your destination.

K. Student should dispose of food and utensils appropriately before returning food trays to cart.

L. No horseplay.

4. **Bathroom Rules**

A. All students are responsible to use the bathroom when they need to and are expected to no misuse this time.

B. Student should respect the privacy and personal space of others.

C. Maintain bathroom cleanliness.

D. No horseplay.

E. Always wash your hands with soap and water.

F. No writing or scratching on bathroom stalls and/or walls. Students maybe checked for writing instruments and/or sharp objects prior to leaving the classroom.

5. Playground/Outside Rules

A. Stay on the playground—do not play on building ramps, stairs, or FACE Early Education equipment.

B. Leave animals, dirt, and insects alone.

C. Only one person on the slide and swings at a time.

D. Listen to all adults.

E. Line up quietly and immediately.
F. No climbing up the slide.
G. No twisting, jumping off, or sideways swinging.
H. No climbing on the trees.
I. No football, wrestling, or rough play.
J. Keep your hands and feet to yourself.
K. No personal toys on the playground.
L. Share playground and equipment with others.

6. Computer Lab Rules

A. Stay on assigned site with no other windows open.
B. No chewing on equipment or other misuse.
C. No misuse of computers and their parts: Mouse, Computer Screen, Web Cam, Tables, Mouse Pads, and Plug-in's.
D. Log into programs or sites promptly and stay on task.
E. Only log into your own account.
F. DO NOT SHARE YOUR INDIVIDUAL ACCOUNT PASSWORDS.
G. Do not distract other students, focus on your own computer.
H. Do not touch and/or turn off other students' computers.
I. No playing games/music at any time or on any device.
J. No defacing the computer (logos, screens, keys, cords, etc.)
K. Students are responsible for maintaining a clean working environment and keeping their technology equipment dusted and clean.
L. Students will not consume food, candy, gum, and drinks in the computer labs or near any technology.
M. Streaming (YouTube, slack, etc.) is not authorized, unless authorized by school staff.
N. Internet activities should be limited to those sites that support educational goals and mission of the school.
O. No food or drinks near computer devices.

7. FACE-8th Grade Online Class Expectations

1. Students must follow teachers' guidelines and/or rules for attendance and engagement purposes.
2. Students must participate in online classes and lessons.
3. **Stay muted** unless you have been called on to speak.
4. **Raise your hand** to be called on.
5. Use your **headphones**, and make sure the TV and radios are off.
6. Log in and out of class **on time.**

A. Student should not be in a Google meets without a teacher or para.
B. Students are not allowed to create their own Google meets.

7. Be prepared for class and have **all materials ready.**
   A. Chromebook charged, charger, sharpened pencils, paper, folders, textbooks, and all other school supplies needed.
8. When you use the **chat box** stay on topic.
9. NO side conversations. If you have a question, use the chat box. Do not blurt out.
10. Everyone in the household must be **fully dressed.**

11. NO hoodies or caps allowed for online learning
12. Adults and students please be mindful of the **language you are using** while your children are online.
13. Student maybe removed from online classroom for not following online class rules and expectations. Students will not be allowed to return to the online classroom until a School staff speaks with a parent/guardian.
14. If your child is too **sick** to attend class on the computer, the parent/guardian should inform by email/text the child's homeroom teacher.
15. Students or parents should inform homeroom teachers through text messaging or email of any technical issues that may result in a student not attending class. Teachers may not be able to answer calls during instructional times.
16. Parents or guardians can reach out to homeroom teachers through text messaging or email for all other concerns regarding online class and student performance. Teachers may not be able to answer calls during instructional times.
17. Students should inform teacher when they need to leave classroom.
18. AHS generated school emails for parents and students, should be accessed daily.
19. Do not block AHS phone numbers to get school updates and student reports from homeroom teachers.
20. Parents are not allowed to take screen recordings or screenshots while students are in class- this may violate individual rights unless there is consent from all parties and the administration.
21. During class time students should prioritize learning and not be required or asked to complete other household related tasks.
22. Parents/guardians will need to inform the homeroom teacher of students who need to be checked out early.
23. To prevent damage, students cannot take their Chromebooks somewhere else (grocery store, clinic, or car) aside from home.
24. When on break, students can turn off their microphones and cameras. At the discretion of the teacher and with supervision, students may socialize with the entire group.
25. Parents/guardians should not address the teacher or paras during instructional time. Any questions or concerns should be addressed after school hours.
26. Use of non-school-related websites is strictly prohibited.
27. No food or drinks next to computer devices or hotspots.
28. Parents can give some assistance but should not complete the entire activities and/or tests for their students.
29. Avoid making inappropriate personal comments about other students and their families.
    A. Any infractions of the rules will result in disciplinary action. The school administration reserves the right to immediately suspend students when the students knowingly and deliberately exhibit behavior that endangers the life, health, or safety of themselves or others, or that causes severe damage to school or personal property.
    B. Students will act in accordance with the Lakota values of respect, generosity, fortitude, and courage with all other students and staff. The American Horse School Board has adopted a Zero Tolerance Policy for minor, moderate, and major offenses as listed in the Behavior Policy Matrix.

4.18 GENERAL SCHOOL RULES

1. American Horse School expects the students to adhere to standards of behavior and conduct in the student handbook acceptably while at school, school-sponsored, or school-related activities. Any deviation from acceptable behavior by the student will result in immediate disciplinary action. The Administration or his/her designee will deal with minor, moderate, or major infractions of school rules depending on the gravity of the violations.
2. All AHS staff are responsible for establishing and enforcing school rules and policies. The violation of these or other established rules while on the school grounds, in school vehicles, at school-sponsored or school-related activities by the student, may result in ineligibility to participate in school-related activities, detention, suspension, or expulsion (see behavior matrix).
3. Students must ask for permission from administration to make an outgoing phone call.
4. All emergency incoming calls for students will be received at the designated administrator's office.
5. Students that have been suspended, are placed in in-school suspension, out of school suspension, sent home due to illness, or are absent will NOT BE ALLOWED to participate in and/or attend any school activities.

ITEMS NOT ALLOWED AT SCHOOL

1. **THERE WILL BE NO POP, CANDY, OR SUNFLOWER SEEDS ALLOWED IN THE CLASSROOMS OR THE SCHOOL BUSES.** Exceptions will only be approved on a case-by-case basis, i.e.: birthday parties, school parties, and/or events by school authorities.
2. Students are not allowed to bring expensive personal items or anything of value to school, such as: Healy's (roller shoes), personal electronic devices, fidget toys, pop-its, and cash over $20.00. Except for having $20.00 or more are during book fair, picture time, or with school concessions.
3. **AMERICAN HORSE SCHOOL CANNOT AND WILL NOT BE HELD RESPONSIBLE FOR LOST OR STOLEN PERSONAL ITEMS BROUGHT TO SCHOOL BY THE STUDENTS.**
4. Personal items (perfumes, body sprays, etc.) that also interfere with the academic process in the classrooms are not allowed.
5. Bandanas are **NEVER** allowed. Students are not allowed to bring or wear caps or headgear to school (except winter attire for inclement weather and/or sports).
6. Items confiscated from students must be retrieved and recorded by staff members and given to an Administrator.

4.19 IN-SCHOOL SUSPENSION

IN-SCHOOL SUSPENSION – The Administration, after conferring with the teacher, may place a student in In-School Suspension. Students can be placed in In-School Suspension for one to three days. The designated administrator may place the student on a behavior contract.

Students assigned to In-School Suspension must sit in a designated area with a designed school staff. Students must complete expected classroom work and complete all daily activities (lunch, etc.) in the designated area with the designated staff member.

Upon completion of an In-School Suspension session, the parent/legal guardian may be required to accompany their student back into the student's classroom.

School Administration may determine that a student should be placed in Out-of-School Suspension if a student accumulates one (1) or more In-School Suspensions.

Students assigned to In-School Suspension will not be permitted to attend or participate in any school activities.

Students being evaluated for an IDEA disability and students who are currently on an IEP, please refer to section 4.34. Special Education, Special Education Discipline Procedure.

4.20 OUT-OF-SCHOOL SUSPENSION

Students may be placed in Out-of-School Suspension for specific violation(s) outlined in the student behavior accountability system or for violations of other school rules as recommended by School Staff.

Students assigned to Out-of-School Suspension will not be permitted to attend or participate in any school activities.

Students being evaluated for an IDEA disability and students who are currently on an IEP, please refer to section 4.34. Special Education, Special Education Discipline Procedure.

4.21 EXPULSIONS

The School Board may expel a student for the balance of any school year for conduct that disrupts the educational process or endangers the life, health, and/or safety of students, staff, or others. Prior to final action, the School Board and its administrator(s) must follow the requirements of due process. All major discipline infractions can be considered for expulsion by the School Board.

If a student is expelled, the student may re-enroll in AHS the following school year and will be required to have a behavior contract in place as a component of their school enrollment.

Any students expelled from any school will not be allowed to enroll at AHS until the next new school year. Students may be required to have a behavior contract in place as a component of their school enrollment.

Students who transfer out while they are in Out-Of-School Suspension in lieu of expulsion will not be permitted to re-enroll within the current school year. Students who wish to re-enroll at AHS will have to wait until the following new school year. Students may be required to have a behavior contract in place as a component of their school enrollment.

Any student that commits acts on school grounds, in school vehicles, at school-sponsored or school-related activities that result in the completion of a police incident report will be expelled

by the American Horse School Board. These students will not be permitted to enroll at AHS until the following school year and will be required to have a behavior contract in place as a component of their school enrollment.

Eighth grade students who have violated student behavior accountability system in any quarter must complete all academic testing and academic requirements in order to and will receive their diploma. The student will not be authorized to attend the 8th grade banquet, continuation ceremony, 8th grade incentive trip, or receive any school related gifts or awards.

For students that have current IEPs please refer to section **4.34 SPECIAL EDUCATION**, **Special Education Discipline Procedure.**

4.22 SCHOOL VEHICLE RULES

Please follow the rules and be respectful as it will help in providing a safe trip for all students and staff.

Only individuals listed on the check-out form of the enrollment packet are authorized to call or write a note to change the student's bus destination after school or after school activities, not later than one hour before dismissal or returning from an after-school activity.

Violation of the following School Vehicle Rules may result in students' losing their bus riding privileges. A determined time will be set by the Administration and transportation leader. During this time the parents will be responsible for transporting their students to and from school.

1. Obey all the directions of the bus driver & bus monitor.
2. Be courteous.
3. No profane language, gang related language or gestures.
4. There will be no pop, candy, or sunflower seeds allowed on school vehicles.
5. School provided food and drinks are permitted within school vehicles during school sponsored events, games, and/or field trips
6. Keep the school vehicles clean.
7. Do not damage or tamper with school vehicle equipment.
8. Always remain in your seat unless otherwise told by school personnel.
9. Always keep your head, hands, and feet inside school vehicle.
10. Absolutely no fighting, pushing, or shoving on the school vehicle.
11. Bus drivers are permitted to make emergency when the driver deems it necessary along the road or in approaches when it is safe to do so
12. If behavior is so severe that it endangers the occupants of the vehicle, etc. The driver will stop the school vehicle and call law enforcement to remove students who are causing the disruption.
13. Do not bring pets on the bus.
14. The bus driver and bus monitor are authorized to assign seats.
15. Parents and students are not allowed to physically or verbally abuse students or staff members while on the bus.
16. **Any personal items brought onto a school vehicle is not the responsibility of**

AMERICAN HORSE SCHOOL OR STAFF.

17. Adult/Chaperones on any activities need to be responsible for all students on all bus rides.
18. No alcohol, tobacco, or drugs are to be brought on school vehicles or to the school. **IF VIOLATED, LOCAL AUTHORITIES WILL BE NOTIFIED.**

4.23 BEHAVIOR POLICY MATRIXES

The Behavior policy matrix is enforced to provide a positive learning environment for all students attending American Horse School whether online or onsite and is as follows:

Minor Infraction	Moderate Infraction	Major Infraction
Disruption of class	Violation of fire code: i.e.: possession of fireworks, lighters, matches etc…..	Fighting, Bullying, Racking
Horseplay	Truancy skipping classes	Possession of a weapon of any kind
Disrespectful Language/Gestures (including online side chat, message, and/or emails.)	Defacing school property	Bomb threat \ misuse of fire alarm/Arson-Starting a fire
Abuse of school or personal materials	Hickeys	Vandalism\Theft
Inappropriate personal conduct (i.e., table manners, public displays of affection.)	Bus Violations	Possession use, or distributing of drugs \ alcohol \ tobacco
Refusal to work	Academic Dishonesty (i.e., cheating, forgery)	Verbal \ Threats of bodily harm or Sexual misconduct to students or staff
Violation of all school rules	Intentional profane language or gestures towards adults and/or other students.	Non-Violent/Violent- Gang Related Activities, Actions or graffiti
Inappropriate dress/clothing	Explicit drawing or labeling	Leaving of the school property without permission
Inappropriate usage of computers and/or other websites not designated by teachers.	Explicit website searches	Malicious Negligence with social media (Cyber bullying)
Refusal to turn in student device/ electronics/ gadgets.		

4.24 ANTI-BULLYING POLICY

American Horse School is committed to providing a safe and civil education environment for all students. American Horse School recognizes that a safe and civil education environment is one in which students are free from school violence and bullying. American Horse School further recognizes that students are free from school violence and bullying. American Horse School further recognizes that requiring school violence and bullying policies in BIE-funded schools and dormitories will reduce the risks that act of school violence and bullying pose to a safe and civil education environment.

1. "Bullying" is defined as an intentional written or verbal expression, physical act or gesture, or a pattern thereof that takes place on school property, in school vehicles, at a designated school bus stop, or at any school-sponsored event that:
    A. Causes physical harm or distress to a student or staff.
    B. Damages to other students and/or staff property.
    C. Has the effect of substantially interfering with a student's education.
    D. Is severe, persistent, or pervasive enough that it creates an intimidating or threatening educational environment
    E. Has the effect of substantially disrupting the orderly operation of the school.
2. Examples of bullying may include:
    A. Physical attacks (pushing, hitting, punching, hair pulling, scratching, spitting, etc.)
    B. Verbal abuse (name calling, racist remarks, teasing, etc.)
    C. Social exclusions (ostracism, ignoring, alienating, etc.)
    D. Psychological abuse (acts that instill a sense of fear or anxiety)
    E. Cyber bullying (the use of electronic communication typically used to send messages of intimidating or threatening manner.)
    F. Any act that has the effect of insulting or demeaning any individual or group of individuals in such a way as to cause distress, reluctance to attend school, a decline in work standards, or problem behaviors.
3. Any student participating in any and all social networking with malicious or negative intent that pertains to any American Horse School stake holders, student, or staff will be recommended to receive a major infraction with consequences.
4. Any student refusing teacher direction, disrespecting the class, and interrupting other student's education will be removed from the classroom by an administrator, and\or an appropriate staff member.

5. **Bully Reporting Process**
    A. Upon receiving a report of bullying behavior from a student, witness, parent, or victim, the staff shall initiate immediate steps to address the concerns of the student who reported the incident. If a student reports that he or she was subjected to bullying behavior by a fellow student, the staff person shall assess the situation to determine if the behavior meets the criteria for bullying or if the behavior was an isolated incident that can be resolved without the matter being referred to the counselor.
    B. If the behavior is considered to be a form of bullying that has the potential to escalate, the staff person shall complete the Student Incident Report Form and refer the matter

to the Administration or his or her designee.

C. The Administration or her\his designee shall schedule a meeting with the offender and inform him or her that his behavior towards a fellow student is unacceptable and a violation of the school's policy. The Administration or her\his designee may then refer incidents of bullying to other sources for resolution. The source to which the matter may be referred will depend on the frequency of occurrences and the magnitude of the behavior:
D. It is essential that all credible reports of bullying behavior be documented on the school's Student Incident Report Form, including any disciplinary measures that were initiated by school staff. The form shall then be placed in both the offender's and victim's student file and maintained at the school site for future reference.
E. The Administration or her\his designee should ensure that the Parents/Legal Guardians of both the victim and the offender are notified in a timely manner. The Parents/Legal Guardians shall be informed that an incident was reported and that the school administrator has initiated steps to address the issue. Notification to Parent/Legal Guardians shall be documented in the "Disciplinary Action Take" section of the Student Incident Report Form.
F. School staff members are responsible for immediately reporting incidents of bullying and filling out the Student Incident Report Form.
G. The Administration or her\his designee is responsible for meeting with the offender and target, notifying parents, referring the incident to external resources as necessary, and following up with the victim to ensure the matter has been resolved.

6. **Sexual Harassment**
   A. Sexual harassment is illegal, unacceptable, and will not be tolerated. Any student that sexually harasses another student and/or employee will be subject to disciplinary action. This could include expulsion of the student and possible criminal charges.
   B. Any gesture that is threatening or insinuating, either explicitly or implicitly, shall be considered sexual harassment.
   C. Other sexually harassing conduct in the school system (includes onsite or remote learning environments) is prohibited and includes:
      a. Sexual flirtations, touching, advances, or proposition
      b. Verbal abuse of a sexual nature, jokes or stories
      c. Graphic or suggestive comments about an individual's dress or body
      d. Sexually degrading words to describe an individual
      e. The display of sexually suggestive objects or pictures, including photographs
   D. Sexual harassment is not limited to problems involving male/female relationships; it may involve individuals of the same gender.
   E. Responsibility: Board members, employees and students are responsible for maintaining a working and learning environment free from sexual harassment. In-service training will be provided at the beginning of each school year by the administration to explain this policy and law.
   F. Procedures: Any student who believes he/she has been a victim of sexual harassment by another student or employee on school premises, during school hours or school related activities should promptly report the incident to the Administration or the designated staff member.

G. Careful scrutiny will be undertaken of all allegations of sexual harassment. All reported incidents will be investigated within seventy-two (72) hours. Findings will result in:
    a. No action taken (complaint unfounded),
    b. A hearing scheduled with the Board for possible termination of employment or expulsion of the student.
H. Any student who has been disciplined under this policy and is dissatisfied with the results may utilize the appropriate grievance procedure.
I. False allegations that are malicious or ill-founded may constitute libel or slander and may result in disciplinary actions.

4.25 STUDENT RESTRAINT PROCESS

PROCEDURE AND GUIDELINES FOR THE USE OF PHYSICAL RESTRAINT AND SECLUSION IN SCHOOL SETTINGS

AHS staff will employ the following procedures and guidelines regarding the use of physical restraint and seclusion:

1. Physical restraint and seclusion are used only in exceptional circumstances where a student is in imminent danger of causing harm to self or others.
2. Where a student's behavior could cause harm to self or others, restraint or seclusion may be required until such time as the imminent danger of serious harm to self or others has dissipated.
3. Physical restraint and seclusion procedures are used only as emergency, not treatment procedures. Neither physical restraint nor seclusion procedures are used as punishment, discipline or to force compliance.
4. When possible, school personnel will implement positive behavior supports and interventions, behavior plans, emergency or safety plans, and other plans to prevent and de-escalate potentially unsafe situations.
5. Parents and, where appropriate, students will be offered opportunities to be consulted in the development of positive behavior supports and interventions, behavior plans, emergency or safety plans.
6. When possible, training sessions in positive behavior support planning, non-violent crisis intervention, conflict de-escalation techniques, and safety planning will continue to be offered to school personnel on a regular basis.
7. School personnel who work directly with a student in situations where there is a potential for imminent danger of serious physical harm to the student or others, and where they may be required to respond to an individual whose behavior is presenting a danger to self or others, are expected to have been trained in, crisis intervention and the safe use of physical restraint and seclusion.
8. In cases where a student's behavior could potentially cause harm to self or others, the student's educational planning includes development of:
    A. An Individual Education Plan (IEP) outlining the student's learning outcomes, required learning support services, and instructional and assessment methods,

B. A formal positive behavior support plan describing positive behavior intervention supports and conflict de-escalation procedures,
C. An emergency or safety plan detailing emergency and safety procedures regarding the use of physical restraint and seclusion, and confirming the opportunity for formal training of school personnel, and
D. The student's behavior plan and emergency or safety plan shall be attached to the student's IEP and reviewed regularly, at least, annually.

9. Recurring practice of restraint or seclusion is not to be common practice in any student's educational program. Prevention/intervention strategies are to be reviewed and revised in situations where: repeated use of physical restraint and seclusion for an individual student occurs; multiple uses of physical restraint and seclusion occur within the same classroom; or, physical restraint and seclusion is repeatedly used by an individual.
10. Physical restraint or seclusion is never conducted in a manner that could, in any way, cause harm to a student, i.e., never restricts the breathing of a student; never places a student in a prone position (i.e., facing down on his/her stomach) or supine position (i.e., on his/her back, face up); never employs the use of mechanical devices.
11. Any space used for the purpose of seclusion will not jeopardize the secluded student's health and safety.
12. Any student placed in seclusion is continuously visually observed by an adult who is physically present throughout the period of seclusion and that all health and safety policies or regulations be followed and school personnel able to communicate with the student in the student's primary language or mode of communication are present at all times.
13. Each incident involving the use of physical restraint or seclusion will include the following actions subsequent to an incident:
    A. Notification to the School Administrator as soon as possible after an incident/always prior to the end of the school day on which the incident has occurred. Upon receipt of such notification, the School Administrator will complete any necessary documentation related to the incident.
    B. Notification, by the School Administrator, to the student's parent(s)/guardian(s) as soon as possible/always prior to the end of the school day on which the incident has occurred.
    C. Notification by school staff to the Assistant Principal and the School Administrator as soon as possible after an incident/always prior to the end of the school day on which the incident has occurred. A copy of the necessary documentation related to the incident will be provided to the School Administrator and Assistant Principal upon completion by the school staff.
    D. Notification to the School Administrator or designee as soon as possible after an incident has occurred.
    E. A debriefing is to be scheduled involving school personnel, parents or guardians of the student, and wherever possible, with the student – to examine what happened/what caused the incident, and what could be changed, i.e. preventative and response actions that could be taken in the future, to make the use of physical restraint or seclusion unnecessary.

AHS will review these procedures and guidelines on a regular basis to ensure alignment with current research/practice and to ensure alignment with best practices guidelines.

4.26 STUDENT DUE PROCESS

Students have the right to due process in all disciplinary procedures involving major infractions which may result in expulsion.

Due process will include, but not be limited:

1. There will be a letter recommending that the student be expelled sent to the AHS board and the Parent\Legal Guardian within three (3) working\school days.
2. After parent receives letter, they will have Five (5) working days to request a hearing\meeting. Attached will be a letter with check boxes for the following:
    A. I want or don't want board hearing "whether you will have legal counsel for your student or not "and it will also have a place for the parent \ legal guardian to sign and date the document. AHS–Administration or designee will then have three (3) working\school days to schedule that meeting and to notify the parent\legal guardian when the meeting will take place to a final review of the incident and documents recommendation for approval.
    B. Administration or the designee will write the letter with the AHS board's decision and it will be sent to the parent\legal guardian by certified mail or hand carried by school official. The School Board decision shall be considered final.

4.27 STUDENT GRIEVANCE PROCEDURES

1. Any student and/or the parent(s) or Legal Guardian(s) of such students who feel they have been discriminated against, believe their rights have been violated, or have any other grievance concerning school affairs or administrative decisions may initiate grievance procedures.
2. When a grievance is brought by a minor student, the student's parent(s) \ Legal Guardian must be a party to the proceedings.
3. Grievances shall be settled quickly as possible. The number of days may be extended by mutual agreement of the parties, of grievance proceeding.
4. **Informal Grievance.** Any student or the parent(s) of such student may present a grievance in person to the Administration who shall gather pertinent information through informal conferences and render a decision within a reasonable time after submission of the grievance need to be initiated within two (2) days that school is in session.
5. **Formal Grievance**
    A. This procedure is to provide a formal method for the resolution of a grievance and should not be used unless informal procedures do not resolve the matter to the satisfaction of the grievant.
    B. Parents may file a formal request for a hearing with the American Horse School Board. The request must be in writing and submitted to the Administration within three (3) working/school days following the grievant receipt of the Administrator's decision and include notification if the student will have legal counsel at a formal hearing.
    C. The American Horse School Board will have a hearing, which is conducted in executive session within five (5) working/school days from receipt of the request.
    D. Decision: The decision of the American Horse School Board is final. If the student and/or his parent(s) waive their right to a hearing or fail to appear at the hearing on the

appointed date, he/she forfeits by default and the school representative shall proceed to present charge(s) to the panel for the record, unless there is evidence of serious illness on the part of the student or the death or serious illness of a member of the student's immediate family.

E. AHS Board will notify guardian parent\student of their final decision in writing within three (3) working/school days.

4.28 SCHOOL ADMISSIONS

1. American Horse School shall enroll students at their appropriate educational level. Each case thereafter the initial enrollment of the current school year will be reviewed by Administration or designated personnel; however, a student who has been expelled from any school including AHS will not be enrolled until the following school year.
2. Students previously enrolled at another educational system will be placed at the appropriate grade level determined by Administration based upon current student records and other social determinates.
3. Student transferring from another school with attendance issues will be placed on an attendance contract at enrollment.
4. If a student was caught or charged with school theft, burglary, or vandalism, they will not be able to reenroll until the following school year.
5. The parent(s) or Legal Guardian(s) of the student enrolling must be present and complete all necessary forms prior to finalization of admission of the student.
6. **Emergency contacts/phone numbers must be listed on the application and updated when necessary**.
7. **All custody documents must be current and binding by tribal, state, or federal law and on file with the School Records Clerk.**
8. **THE SCHOOL MUST HAVE A CURRENT WORKING PHONE NUMBER AT ALL TIMES THROUGHOUT THE SCHOOL YEAR FOR PARENT OR LEGAL GUARDIAN OR EMERGENCY CONTACT.**
9. Prior to admittance, students and their parent(s) or Legal Guardian(s) are to furnish the school with the following documents:
   A. Immunization Record
   B. Tribal Enrollment (CDIB)
   C. Birth Certificate child must be five (5) years old by 12/31 of the current school year
   D. Home Language Survey
   E. Internet policy agreement
   F. FERPA NOTICE (ACKNOWLEDGMENT OF RECEIVING THIS NOTICE)
   G. IHS medical release form
   H. Student device agreement
   I. Photo release form
   J. Student entering school must be potty trained
10. For all enrollments, if the above data is not provided by within ten (10) school days of enrollment, student will be dropped from AHS and will not be allowed to re-enter until all documents are provided by parent/guardians to school records clerk.
11. FOSTER CHILD'S ENROLLMENT

    Upon enrollment the foster parent will receive documents provided by Child Protective Services (CPS) with their enrollment packet.

12. American Horse School is accredited as kindergarten through eighth (8th) grade, tribally chartered grant school. Based upon the school's accreditation designation, American Horse School is not authorized to award credit for academic content and/or curriculum for any grade levels above the 8th grade. Therefore, AHS will not enroll any student that will turn sixteen (16) years old during the academic school year.

4.29 OPEN ENROLLMENT

American Horse School has an open enrollment policy. However, the following instances will require the AHS Board to consider curtailment of enrollment during the school year:

1. Physical classroom capacity may be a factor.
2. Shortage of teachers and staff.
3. Lack of availability of bus routes.
4. Students that are expelled from any school.
5. If AHS cannot provide adequate services.
6. **There is no open enrollment for eighth grade students after December 31st and none for K-7 after the end of the third quarter of the school year.**
7. American Horse School is accredited as kindergarten through eighth (8th) grade, tribally chartered grant school. Based upon the school's accreditation designation, American Horse School is not authorized to award credit for academic content and/or curriculum for any grade levels above the 8th grade. Therefore, AHS will not enroll any student that will turn sixteen (16) years old during the academic school year.

4.30 ASSIGNMENT TO CLASSES

Placement of students shall be at the discretion of the Administration considering the following criteria:

1. Records in writing from previous school(s) attended.
2. Evaluation of academic assessment results.
3. Age and/or social determinates of the student.

4.31 CHECKING OUT AMERICAN HORSE SCHOOL STUDENTS

ONLY PERSONS LISTED ON THE OFFICIAL SCHOOL CHECKOUT LIST OR COURT ORDERED WITH DOCUMENTS ON FILE are authorized to check a student out from school or pick students up after school activities.

4.32 TRANSFERS/WITHDRAWALS FROM AMERICAN HORSE SCHOOL

Students may transfer to another school at the request and authorization of the parent(s) or Legal Guardian(s).

The NASIS Coordinator is responsible for providing documentation of student withdrawal, the reasons, location, and entry to NASIS.

4.33 GRADING

Students will be evaluated in terms of what they have accomplished in a given subject, course or content area based upon their demonstrated proficiency, capabilities displayed, and attendance in class. Ratings for student academic proficiency will be recorded and reported to parents and students on a quarterly basis during each school term, and records of assigned student proficiency ratings will be maintained on an official record in the student's cumulative folder. Grade report maintenance will be conducted in accordance with the Privacy Act, Confidentiality Act, Freedom of Information Act, and other regulatory provisions.

The assignment of academic proficiency ratings will be based upon demonstrated student proficiency on assigned tasks in each content area or course, i.e., performance on tests, essays, individual and class projects, written assignments, performance on individual and group assignments, and other forms of student application of knowledge and skills (i.e., oral presentations, other).

The following grading system will be used in the American Horse School for grades Kindergarten – Eighth grades.

	Standard scale	
Score	100% - 97%	A+
	96.9% - 93%	A
	92.9% - 90%	A-
	89.9% - 87%	B+
	86.9% - 83%	B
	82.9% - 80%	B-
	79.9% - 77%	C+
	76.9% - 73%	C
	72.9% - 70%	C-
	69.9% - 67%	D+
	66.9% - 63%	D
	62.9% - 60%	D-
	59.9% - 0%	F

Students shall be protected from unjust or inconsistent academic or personal evaluation and prejudice. A written report card shall be provided to parents four (4) times a year with supplementary reports as needed.

4.34 SPECIAL EDUCATION

The purpose of IDEA (Individuals with Disabilities Education Improvement Act of 2004) is to ensure all children with disabilities receive a FAPE (Free Appropriate Public Education). IDEA is not a "one size fits all" law or program. Instead, each decision made on behalf of a child with a disability must be based on that child's unique needs, whether that be the evaluations performed to determine eligibility and/or the services the child requires, the measurable annual goals, the special education services a child requires, whether the child requires any related services, and when the services will begin, the frequency of the services, the duration of the services, and the

location where the services will be provided, etc. be eligible through the Individual Disabilities Education Improvement Act of 2004 (IDEA 2004). The American Horse School special education department will follow the BIE (Bureau of Indian Education) policies put into place.

1. *FAPE (Free Appropriate Public Education)*

Students with disabilities have a legal right to FAPE. Services to eligible special education students, ages three to 22, will be provided without charge to the student. This doesn't include incidental fees that are normally charged to all students. Special education services will include preschool, elementary and secondary education and are provided in conformance with the student's IEP (Individual Education Program).

American Horse School provides a continuum of services for students, regardless of the funding source. Where American Horse School is unable to provide all or part of the special education or necessary related services, it will make arrangements through contracts with other public or non-public sources, inter-district agreements or interagency coordination.

2. Identification & Referral (Child Find)

The purpose of Child Find is to locate, evaluate and identify children with suspected disabilities in need of special education services including those who are not currently receiving special education and related services and who may be eligible for those services. Activities are to reach children who reside within the American Horse School boundaries including preschool-age children.

When American Horse School staff have concerns that a student may have a suspected disability which could result in eligibility for special education services, they will notify the school's special education department who will then schedule a team meeting to discuss options and further screenings and/or evaluation(s) if needed. If the determination is that the child should be evaluated, the team will include information about the recommended areas of evaluation, including the need for further medical evaluation of the student (if needed).

Students who transfer to American Horse School who are already eligible for IDEA services:

A. Transfers from a South Dakota School District:
    a. American Horse School's Special Education Director will review the student's records to determine if:
        i. the student meets AMERICAN HORSE SCHOOL's IDEA criteria for eligibility
        ii. the student's IEP can be implemented as written or if an IEP amendment needs to be scheduled and the IEP amended or rewritten
    b. American Horse School's Special Education Director or student's Special Education teacher will schedule an informal meeting if minimal changes are required to the IEP or a formal meeting at the parent's request and/or if substantial changes need to be made to the IEP
    c. American Horse School's Special Education Director/Teacher will send a PWN to the parent based on the final decisions of the school

B. Transfers from another state:
    a. American Horse School will complete an **initial** IDEA evaluation to determine if the student meets South Dakota IDEA eligibility requirements

b. American Horse School Special Education Director/Teacher will review the student's file to determine what if any evaluations are required to determine if the student meets AMERICAN HORSE SCHOOL's IDEA criteria or if further evaluations are required
c. American Horse School Special Education Director/Teacher will schedule a meeting to review student's file and either:
    i. Acquire consent to complete evaluation(s) needed to determine the student's IDEA eligibility, or
    ii. Complete an IDEA eligibility determination and develop an IEP
d. American Horse School's Special Education Director/Teacher will send a Prior Written Notice (PWN) to the parent based on the final decisions of the school

3. *Evaluations*

The purpose of the evaluations is to collect information about the student's functional, developmental and academic skills and achievements from a variety of sources, to determine whether a student qualifies for special education and related services, and to develop an IEP (Individualized Education Plan). This includes information provided by the parent. All current evaluation data as well as data previously reviewed by the IEP team must be considered.

4. IEP (Individualized Education Plan)

The term IEP means a written statement for each student eligible for special education that is developed, reviewed, and revised in a meeting in accordance with Federal expectations, this policy and procedure and best practices. The IEP reflects the implementation of instructional programs and other services for students who are eligible for special education services, based on the evaluation of student needs. An IEP is reviewed annually sometimes more often and every three years the student is re-evaluated to determine if they still qualify for special education services.

American Horse School will provide the IEP defined services and document the provision of student services on a service log. The service log will document the date of the service, the amount of service time, and the service area. All services will be provided as defined in a student's IEP including the student's participation in general education activities such as field trips, classroom parties and other general education activities defined in the student's LRE determination.

American Horse School will work with students' parents to provide special education services when an American Horse School staff member or contracted provider is absent for medical or personal reasons. Services that are not provided and cannot be provided because of an American Horse School staff person's or contracted provider's absence will be provided at a later time in the school week or year. A meeting will be held with a student's parents if the amount of service time not provided is excessive. American Horse School and the parent will discuss if and how the services will be provided. A Prior Written Notice (PWN) will be sent to the parents documenting the meeting discussion and the decision on how or if the services will be provided. Services will be excused when:

- A student's LRE determination requires the student to miss scheduled services, i.e., participating in a class party, field trip or other general education or IEP defined activity
- American Horse School offers scheduled services, but student is absent from school

Services not offered because a staff member was absent will be made up at a later time unless a Prior Written Notices is sent to the parent(s)/guardian(s) providing notice that services will not be provided because staff will be attending a conference.

Compensatory education will be offered and provided if a student's services are not provided over an extended period of time and the parent/guardian agrees to the provision of the make-up services. A parent/guardian has the right to refuse compensatory services. A prior written notice will be written and sent to the parent/guardian to document the parent's/guardian's refusal of the offered services.

5. Parent Participation in Meetings

The American Horse School encourages parental involvement and sharing of information between the school and parents to support the provision of appropriate services to its students. As used in these procedures, the term "parent" includes biological and adoptive parents, legal guardians, foster parents, persons appointed as surrogate parents and adult students.

Parents (and as appropriate, students) will be provided the opportunity to participate in any meetings with respect to the identification, evaluation, educational placement and provision of a FAPE. American Horse School will take whatever action is necessary to ensure that the parent understands the proceedings of the IEP team meeting, including arranging for an interpreter for parents with deafness or whose native language is other than English.

6. Procedural Safeguards

American Horse School special education department will provide a copy of the procedural safeguards to the parents and adult students at least one time a year. The procedural safeguard handout includes a full explanation of all the procedural safeguards relating to independent educational evaluation, prior written notice, parental consent, access to educational records, discipline procedures for students who are subject to placement in an interim alternative educational setting, requirements for unilateral placement by parents of children in private schools at public expense, state complaint procedures, mediation, the child's placement during pendency of due process proceedings including requirements of disclosure of evidence, due process hearings, civil actions and attorney's fees.

7. Discipline

Students eligible for special education may be disciplined consistent with the disciplinary rules that apply to all students. However, students eligible for special education must not be improperly excluded from school for disciplinary reasons that are related to their disability or related to the failure to implement a student's IEP. The special education department will take steps to ensure that each teacher who has the student is knowledgeable of the disciplinary rules that differ from the school's set disciplinary plan.

8. *Accessibility Assistance for Students*

The school is committed to providing all students with safe and equitable access to educational programs, services, activities, and facilities. In situations where portions of a facility are not fully ADA compliant or accessible, staff members may be assigned to provide reasonable assistance to ensure students with disabilities can safely participate in school activities.

9. *Special Education Discipline Procedure*

IDEA requires American Horse School to ensure that a student receives a free appropriate public education or FAPE. In the case of discipline, a student on an IEP will follow the American Horse's discipline process as defined in this policy and procedure until the student misses more than ten (10) days of educational services. On, or before day eleven (11), the School must hold a manifestation determination, which includes the following steps to ensure the school does not violate FAPE:

A. The IEP Team along with the student's parent/guardian must hold a meeting to determine if the behavior in question is or is not a direct result of the student's disability.
B. If the behavior in question is determined to have been caused by the student disability, then the IEP Team and the parent/guardian will amend the student's IEP. The IEP team will determine if additional action is needed.
C. If the behavior in question is determined to have NOT been caused by the student disability, then the School shall follow the AHS policy manual in regards to appropriate student discipline consequences.
D. If an IEP student is placed in Out-of-School Suspension or In-School Suspension, AHS is responsible for providing both general and special education services after the 10th day of suspension whether the behavior is a manifestation of the student's disability or not.
E. If an IEP student is dismissed from School, AHS is still responsible for providing the student with the prerequisite IEP identified services along with the general curriculum until the student transfers to another school.
F. If an IEP student is expelled from School, AHS is still responsible for providing the student with the prerequisite IEP identified services along with the general curriculum until the student transfers to another school.
    a. The prerequisite IEP services and general curriculum can be provided to the student before or after school, at the student's home, or at a neutral location such as a community center, college center, etc.

4.35 SECTION 504

Section 504 is the part of the Rehabilitative Act of 1973 that applies to individuals with disabilities. This act protects the civil rights of persons with disabilities. A FAPE (free appropriate public education) is one provided by the elementary or secondary school that includes general or special education and related aides and services that (1) are designed to meet the individual educational needs of an eligible student with a disability as adequately as the needs of an eligible student who is non-disabled are met and (2) are based on adherence to evaluation, placement, and procedural safeguard requirements.

Section 504 of the Rehabilitation Act of 1973 protects students from discrimination based on their disability status. A student is eligible for accommodations under Section 504 if the student

has a mental or physical impairment that substantially limits one or more of a student's major life activities that impacts education. "Major Life Activities" include functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. When a condition does not substantially limit a major life activity that impacts education, the student does not qualify for protection under Section 504.

4.36 CONTINUATION REQUIREMENTS

The continuation requirements, including attendance, shall meet or exceed the South Dakota Department of Education, Oglala Sioux Tribe, and Bureau of Indian Education requirements.

Eighth grade students who have violated the student behavior accountability system in any quarter must complete all academic testing and academic requirements in order to and will receive their diploma. The student will not be authorized to attend the 8th grade banquet, continuation ceremony, 8th grade incentive trip, or receive any school related gifts or awards.

If a student has not met school continuation requirements, the student must attend summer school in order to receive their diploma and any school related gifts or awards. The student will not be permitted to attend the 8th grade student incentive trip.

See the eighth (8th) grade Parent/Guardian contract.

4.37 PARENT CONFERENCES

The Board recognizes the importance of the parent/teacher relationships. At least three (3) parent/teacher conferences shall be scheduled each year for parent(s) of children in the school.

The teacher shall arrange additional conferences with parents and Project AWARE staff in instances when students are having academic and/or behavior issues. Instructional supervisors may recommend and /or require teachers to call the homes of individual students more often during the school year.

Parents shall be required to inform the School of any changes and/or updates to phone numbers, addresses, living location, etc.

Parents shall be required to regularly utilize a school provided email address in order to maintain consistent communication with the school.

4.38 STUDENT HEALTH SERVICES

Student shall not bring any medications, including prescription medications to the School. Only medications identified under specific written requests of the parent or Legal Guardian(s) and under the directive of a student's personal physician shall be administered to students by the school nurse.

Should an illness and/or injury occur an incident report shall be completed. Every effort will be made to notify the parent(s) or Legal Guardian(s) immediately. In a case that a student must be

transported to a clinic or hospital, parents and/or legal guardians will be notified and must meet their student at clinic or hospital. The school will transport a student that is ill or injured to the home of the student or to the home of authorized person from the student's check out list. A student who has been injured or is ill will NOT be left at a home if an adult is not present. Every illness, injury, or accident that occurs in the school building, on school grounds, at a school-sponsored and/or school-related activities will be reported immediately to the designated supervisor. A written report will be provided to the parent(s) or Legal Guardian(s).

1. Student Hygiene & Mental Health

A. Students who are referred by school staff or parents/guardians for personal hygiene issues will be evaluated by the School Nurse. The School nurse will address any student hygiene issues through the following: showering, lice cleaning, clean clothes, etc.
B. Students who are referred by school staff or parents/ guardians for behavioral health issues will be screened by counseling staff. Counselors will make recommendations for next steps to address student issues.
C. Students will be sent home if they are found to have head lice. Students may return to school once they have successfully removed head lice.

4.39 SPORTS PHYSICAL EXAMINATIONS

All students that participate in school sports are required to complete an annual sports physical examination prior to participation in August of the upcoming school year.

4.40 INOCULATIONS

All students will follow state regulations for shots for immunization, Parent(s) of each child admitted to school shall present certification from a licensed physician or authorized representative of the South Dakota State Department of Health that the child has received immunization against polio myelitis, diphtheria, pertussis, rubella (measles), rubella, mumps, tetanus, meningitis, and chicken pox and other required immunizations.

Parents/Guardians will be notified by Administration that this must be completed by the tenth (10) day after enrollment. Students who have not received the required immunization will be dropped from enrollment. Re-enrollment can occur after required immunization have been completed.

6th grade shot requirement

The South Dakota legislature passed a new vaccination requirement for students entering the 6th grade beginning with the current school year. The new requirements include:

- One dose of TDAP vaccine (Tetanus, Diphtheria and Pertussis)
- One dose of MCV4 (Meningococcal)
- This requirement applies **ONLY** to entering 6th grade students
- Both of these vaccines should be received on or after the child's 11th

birthday. If a child is 10 years old when entering the 6th grade, they have 45 days after their 11th birthday to be vaccinated.

- Schools will be required to report immunizations records of 6th grade students yearly to SD Dept. of Health, just as we currently do with kindergarten and new transfer students from out of state.
- Parents/Caregivers can contact their physicians or go to local IHS clinic in Kyle, Martin, or Pine Ridge to receive vaccinations.

4.41 PHYSICAL EDUCATION EXEMPTIONS

The Parent(s)/Guardian(s) must notify the School Nurse in writing of a student's medical difficulties or underlying conditions to exempt the student from physical education activities.

4.42 BICYCLE/MOTORIZED VEHICLE USE

All students are required to be transported by the School and/or parent/Legal Guardian. Students are not authorized to utilize bicycles or motorized vehicles (automobile, motorcycles, ATV, etc.) on school campus during school hours.

The school is not liable for any accidents, thefts, or damage on school campus.

4.43 STUDENT ACTIVITY PROGRAM

The Board encourages involvement of students in school sponsored events and extra-curricular activities.

4.44 EXTRA-CURRICULAR ELIGIBILITY REQUIREMENTS

The eligibility requirements for extra-curricular activities are to promote consistent positive student involvement in classroom participation and daily attendance. Students not meeting the following eligibility requirements will not be allowed to participate in school-related activities during the period in which they are declared ineligible. AHS students must meet any conference eligibility policies in order to participate in extra-curricular activities. The School Board and Administration shall approve all extra-curricular activities.

Parent/Guardian that have questions or concerns related to their student participating in athletic activities should contact the School Athletic Director and not designated coaches.

1. Attendance
    A. Students may not miss more than one (1) day per week or be tardy to class more than three (3) times from any one class or teacher. Attendance eligibility will affect all grades and will be determined on a weekly basis through coordination with the existing attendance program and weekly reports. A fourth tardy will result in student's ineligibility for the extra-curricular activities for that week.
    B. A student must be present in school the day before; the day of; and the day after a scheduled activity in order to participate. Eligible excused absences must by documented by a written slip from the clinic or hospital or due to a death in the

student's immediate family.

2. Academics. Students must have a minimum of 70% overall grade point average weekly on the American Horse School grading rubric; and a student cannot be behind in more than three (3) assignments.
3. Behavior
   A. Students who are suspended will be ineligible to participate in extra-curricular activities for that week.
   B. Students who have received three (3) discipline reports within a week will be ineligible to participate in extra-curricular activities for that week.
   C. Students who have received one (1) discipline report for the day will be ineligible to participate in extra-curricular activities for that day.
   D. Any student that receives a major infraction from the behavior matrix will be automatically removed from that extra-curricular activity for the remainder of the specific extra-curricular activity season.
   E. In order to participate in extra-curricular activities, students and parents/legal guardians must sign an Extra-Curricular Activity Eligibility Agreement. The designated school staff member will distribute the Extra-Curricular Activity Eligibility Agreement.
   F. Students who demonstrate disorderly conduct or violate the Behavior Policy Matrix of American Horse School towards teammates or participants from other schools may be ineligible to participate in extra-curricular activities.
   G. If a student has an unexcused absence from school or are ineligible to participate in the extra-curricular activity on the day of an event, the student will not be permitted to watch the event or be on the school premises at the time of the event.

4.45 FIELD TRIPS/EXCURSIONS/EXTRA-CURRICULAR ACTIVITIES

1. All field or activity trips shall be carefully planned to insure beneficial learning experiences and adequate supervision of students. The prior approval of the Administration and/or School Board is required for all field or activity trips and requests must be submitted by sponsors as far in advance of the trip as possible, but no later than five (5) school days before.
2. The person requesting the field or activity trip must arrange for transportation, food, fiscal expenses, etc., in accordance with School policy. Parents must be notified of the trip itinerary.
3. **Behavior Expectations:**
   A. Students who are suspended will be ineligible to participate in extra-curricular activities for that week
   B. Students who have received three (3) discipline reports within a week will be ineligible to participate in extra-curricular activities for that week.
   C. Students who have received one (1) discipline report for the day will be ineligible to participate in extra-curricular activities for that day.
   D. Students who have received three (3) discipline reports within a five (5) school day period will be ineligible to participate in extra-curricular activities for the week following the third documented discipline incident.
4. **Extra-Curricular Off Campus Activities Protocol**:
   A. AHS Chaperones/employees are responsible for the safety and security of all students/individuals on any off-campus activities.
   B. Employee/Chaperone in charge will be designated before off campus activity departs

from the school. That person will have the phone number of the bus driver(s) on the trip and know where they will be, if they have errands to run after dropping group off.

C. All employees/chaperones will know their duties before the off-campus activity departs from the school.
D. Parents/legal guardians or individuals on approved student check out list must sign out student from designated school official when picking students up from an extra-curricular activity.
E. Any person serving as a Chaperone must complete the school background check process prior to serving as a Chaperone.

5. Procedures to follow if students are in immediate danger and/or situation is determined to be unsafe physically or emotionally:
   A. Employee in Charge: Stays with children; calls bus driver to make sure they are ready for the children; calls school administrator.
   B. Chaperone #1: Inform Management and Security by locating ANY EMPLOYEE of said business to call management and security.
   C. Chaperone #2: Call Police if in immediate danger
   D. Chaperone #3: Remove children to area of safety, outside of business and put on bus.
   E. School Administration informs AHS School Board President and then calls the employee in charge to determine, what needs to be done: i.e., police reports, management of business reports.
6. **Extra-Curricular Activity Injury Protocols**:
   A. AHS will require at least two staff members to attend all AHS extra-curricular activities. If available, a secondary vehicle will accompany the AHS participants to the extra-curricular event.
   B. In the case of a sporting event, the AHS Athletic Director or a designated staff member must be in attendance
   C. If a student participant(s) requires transportation to a clinic or hospital while attending an extra-curricular activity, the AHS Chaperone/employees must remain with the injured participant(s) until a parent(s)/legal guardian(s) are present.

Other AHS Chaperone/employees must remain with the other extra-curricular participants to provide supervision.

4.46 CONTESTS FOR STUDENTS

Students may participate in a proposed local contest with the approval of the Administration following careful investigation of its purpose and merits.

The administration must be assured of the value of the contest to students and shall refuse to consider contests designed largely for promotional purposes. All proposed contest rules and regulations shall be checked carefully.

When an event is found suitable, announcements shall be posted to give everyone who qualifies as an entrant an opportunity to participate. Students will not be required to take part in a contest sponsored by an outside organization as part of his or her coursework.

4.47 STUDENT PERFORMANCES

Students shall be encouraged to showcase their talents through presentations, exhibits, and other forms of media. All performances will be scheduled through the Administration for authorization.

4.48 STUDENT ORGANIZATIONS

1. Included in the activities of the school are individual class organizations which allow students an opportunity to work collaboratively on projects which provide activities related to fundraising, community service and student government.
    A. Students are free to organize within the school for political, social, athletic, service and other proper and lawful purposes and shall not be discriminated against because of membership in any such organization.
    B. Student organizations require staff sponsors who must be approved by the School Board.
    C. The use of school facilities, audio/visual materials, announcements in school papers, and other media shall be made available through normal channels and with normal protective controls to be approved by Administration and School Board organizations.
    D. Any publication of any student organization shall enjoy freedom of expression and opinion within the guidelines stated in the Student Bill of Rights.
    E. All approved student/staff organizations may solicit funds with the prior approval of the Administration & American Horse School Board.

4.49 STUDENT VOLUNTEERS

Students shall participate in the design and implementation of community service activities in the school and community, so they can demonstrate their competency and commitment to assisting the Lakota people. The Board encourages the use of student volunteers in the educational program and in useful community services if the additional load does not interfere with their academic achievement.

4.50 STUDENT/COMMUNITY RELATIONS

The School Board encourages active involvement of students and community persons in activities, which provide a positive perspective of the students and community residents. Students are to perceive themselves as valuable members of the community in which they reside, and exhibit behaviors reflective of the four basic Lakota values of Respect, Generosity, Courage, and Wisdom.

4.51 STUDENT RECORDS

1. The Administration will maintain an updated and orderly permanent/cumulative student record system that will not be released without the prior written consent of the parent, Legal Guardian or student of legal age. Student records are available for inspection by parents, Legal Guardians and students of legal age upon their written request. These permanent records will be limited to include only the student's school application information containing birth certificate, tribal affiliation/enrollment or lineage, health records, and any relevant court documents if applicable.

2. The academic information that will be contained in the student record is as follows: the Northwest Evaluation Association (NWEA) Measurement of Academic Progress (MAPS); the BIE Unified Assessment; each grade level report card; and attendance record. If any court documents are in effect for a student they will be maintained in these permanent files. Student permanent or cumulative records will be released only for legal purposes as required by law and only to proper authorities by written consent. Student records are kept on file for five (5) years and then are kept at the national archive center.
3. Student's informal testing, assessments, and examples of academic works are not part of the student's permanent/cumulative record and therefore are maintained in student portfolio.
4. Special education records are kept for seven (7) years then shredded.

4.52 STUDENT COUNCIL/LEADERSHIP

1. WE, the students of American Horse School, in order to develop self-government and to further the interests of the school do hereby establish and ordain this CONSTITUTION.
2. **ARTICLE I - TITLE**
   The name of the organization under this Constitution shall be the American Horse School-Student Council/Leadership.
3. **ARTICLE II - OBJECTIVES**
   A. The objectives of the Student Council are:
      i. To increase student responsibility.
      ii. To develop student leaders through active participation.
      iii. To encourage student participation in solving their own problems to promote positive school spirit and conduct in all phases of school life.
4. **ARTICLE V - QUALIFICATIONS**
   A. Section 1. Any student may run for office of President, Vice- President or Secretary / Treasurer.
   B. Section 2. All members of the Student Council shall maintain a proficient level of academic standing and behavior.
5. **ARTICLE VI – DUTIES.** The duties of the Student Council members will be:
   A. To ensure the proper functioning of the Student Council.
   B. To discuss matters of the student government.
   C. To submit recommendations and proposals to the Administrator.

4.53 HOMEBOUND INSTRUCTION

1. The Board shall provide appropriate instruction for student(s) confined to home or hospitalized for periods exceeding five (5) consecutive school days upon the written request of the parent(s)/legal guardians and with the approval of the family physician.
2. The physician must certify that the student will be unable to attend school for the length of time specified and that he/she is capable of receiving home instruction and shall give an estimate of the probable length of student(s) period of recovery. Should student(s) illness exceed the period, a parent should request that homebound instruction be extended prior to the end.
3. Homebound instruction, although correlated with what the student is missing in the classroom, shall be geared to the student's needs and capabilities during his/her period of recovery. Text books and supporting materials shall be provided by the school.

4.54 HOME SCHOOLING

American Horse School is a federal Oglala Sioux Tribe grant school and therefore does not have a home school program. American Horse School does not provide home school instruction. This is not an educational service of the Office of Indian Education Programs of the BIE grant schools. If a parent chooses home school instruction as the educational option for their student, they must contact either Bennett or Oglala Lakota County Public School districts for assistance. The home school instruction option is part of the curriculum of the South Dakota Public Education and is monitored by the county school districts.

4.55 TESTING PROGRAM

The objectives of the school's testing program are to enable the school to do a more effective job in planning for and educating the children in the school, to secure objective evaluative criteria which are needed for the school's use, and to provide teachers with backup data for grades, reports and counseling.

The testing program includes both informal testing and all commercial standardized testing that is both summative and formative. Informal testing will be done by the classroom teachers and para professionals will be coordinated by the testing coordinator in accordance with the guidelines of the assessment procedures.

The Bureau of Indian Education (BIE) Unified Assessment will be the annual spring assessment for all BIE schools including tribal/grant schools. This assessment will determine grade level standards in accordance with test guidelines.

The school implements both the informal and standardized student testing/assessment program (NWEA MAPS) throughout each school term. Both informal and standardized testing data will be analyzed by the administration to determine the appropriate intervention strategies and curriculum changes required for students in the core subjects of reading and math. Testing scores of students on the assessments used for intervention and curriculum strategies will use the student's number to maintain confidentially and data gathered will not be individual scores for student improvement but general data for curriculum and intervention changes. This testing not only includes academic achievement testing and other assessment processes to enable the school to more accurately assess the needs and interest of students.

Students are expected to complete all assessments/testing instruments to the best of their ability. Results of the students' individual testing and assessment activities can be reviewed by the student and parent/legal guardian through the Testing Coordinator upon request. Group survey results, student portfolios and informal testing will be reviewed by the AHS staff and school board to make academic curriculum changes. The AHS Board will approve the release of all informal testing results that can be used for curriculum changes to any outside activities to include the BIE Education Line Office, BIE Director of Accountability and Planning, Oglala Sioux Tribe Education Director and Committee, South Dakota Educational Activities and other activities that request testing data for academic analysis.

Parents/legal guardians of students will be notified as to their student's assessment/testing results, along with the issuance of report cards. These results will become part of the individual student's permanent cumulative record.

4.56 HOLIDAYS

Holidays for students are: Martin Luther King Day, President's Day, Spring Break, Memorial Day, Fourth of July, Labor Day, Native American Day, Veteran's Day, Thanksgiving Day and the day after, Christmas Eve Day, Christmas Day, New Year's Eve Day, New Year's Day, Battle of Little Big Horn Day, Juneteenth, and Wounded Knee Remembrance Day.

Should a holiday fall on a Saturday, students shall have the Friday immediately before that Saturday off. Should a holiday fall on a Sunday, students shall have the Monday immediately after that Sunday off.

Students shall be granted these holidays and days of legal discontinuance off as set annually. The School Board will approve any changes to the holidays.

4.57 EMERGENCY CLOSING OF SCHOOL

The Administration or transportation director may close school for emergencies, which threaten the life, health or safety of the students and staff.

The Administration shall notify students and parents/legal guardians that they will receive instructions from radio, television stations, emails, AHS web pages, social media feeds, and via the NASIS automated messaging system as to the operation of the school during an emergency.

If there is no school, then the school will not permit to students to participate in school sponsored extra-curricular activities.

The Administration shall contact local radio and television stations to notify parents and students if school is dismissed prior to the school day beginning. If the school is dismissed during the school day.

4.58 COMMUNICABLE DISEASES

1. The Board recognizes its responsibility to provide a safe and healthy environment for the students.
2. The School Nurse shall determine the need to exclude an infected student from the classroom or school activities. Before making a determination to exclude a student, the School Nurse shall consult with Indian Health Service or other medical authorities. In deciding, the following criteria shall be considered:
    A. The expected type(s) of interaction with others within the school.
    B. The impact that interaction will have on the infected student and others within the school.
    C. The physical condition, behavior, and developmental level of the infected student.
    D. Indian Health Service guidelines.

E. The recommendations of Indian Health Service medical authorities.

3. Should an infected student not be permitted to attend school or participate in school activities, the school shall provide the student with appropriate homebound educational materials until such time as the student is able to return. If the student is permitted to remain in school, information will be provided to school employees, who maintain regular contact with the student as to the students' physical condition and other medical factors needed to effectively serve the student's needs.
4. If the student is excluded from school because of a communicable disease, the student shall remain home until the attending physician states that he/she may safely return to school.

The following communicable diseases shall be subject to this policy: Acquired Immune Deficiency Syndrome (AIDS), Syphilis, Chicken Pox, Impetigo, Scabies, Streptococcal Infections, Herpes Simplex, Hepatitis, Sars-2 Coronavirus, Measles, Mumps, Tuberculosis, and any other diagnosed communicable disease posing a health risk to the school environment.

4.59 SMOKE FREE ENVIRONMENTS

The American Horse School Board, in order to protect children under the age of twenty-one (21) from exposure to environmental tobacco smoke, does hereby prohibit smoking at any time by anyone in **any and all indoor and outdoor facilities owned, leased or contracted for and utilized by the school for provision of routine or regular kindergarten, elementary or library services to children.**

4.60 DRUG FREE WORKPLACE

It is the policy of the American Horse School Board to provide a drug free environment. The unlawful selling, distributing, dispensing, possession, manufacture, and/or use of alcohol or illegal drugs by any person within the workplace are prohibited.

4.61 INTERNET ACCEPTABLE USE POLICY AGREEMENT

American Horse School promotes the philosophy that technology is a necessity not a luxury in today's educational system. Access to the internet allows students to be connected to the world and all that the connection offers.

1. American Horse School encourages students who have been granted access to explore the Internet, but if this exploration is for personal purposes, it must be done on personal time.
2. THE FOLLOWING BEHAVIORS ARE NOT PERMITTED WHILE USING SCHOOL TECHNOLOGY, THE INTERNET, OR CONNECTIVITY PROVIDED BY AHS:
    A. Sharing confidential information on students or other employees.
    B. Sending or displaying offensive messages or pictures.
    C. Accessing email for unacceptable use/accessing chat rooms for personal use.
    D. Assisting a campaign for election of any person to any office or for the promotion or opposition to any ballot proposition.
    E. Using obscene language.
    F. Harassing, insulting or attacking others.
    G. Engaging in practices that threaten the network (e.g., loading files that may introduce

a virus)
H. Violating copyright laws.
I. Uploading unlicensed software programs.
J. Using others' passwords.
K. Trespassing in others' folders, documents and files.
L. Damaging computers, computer systems, or computer networks.
M. Intentionally wasting limited resources.
N. Employing the network for commercial purposes.
O. Individual users of the network are responsible for their behavior and communications over the network. It is presumed that users will comply with school standards and will honor this agreement. Beyond the clarification of such standards, the school is not responsible for improper or illegal use of the network and school provided technology.
P. The use of the Internet and electronic mail is a privilege and not a right and inappropriate use will result in suspension and/or cancellation of these privileges.
Q. Social media, instant messaging, peer-to-peer, file sharing and chat sites are not authorized for use from the school provided technology.
R. Students will follow all lab rules and teacher directives.
S. Students are responsible for taking care of all technology equipment in a proper manner.

4.62 ASBESTOS NOTIFICATION TO PARENTS, STUDENT, AND EMPLOYEES

(Required by the *Asbestos-Containing Materials in Schools Rule,* §§763.84(c) and 763.93(g) (4)). *Asbestos* is a naturally occurring fibrous mineral which, until about 1980, was commonly used in building construction. Asbestos will not burn, is an excellent insulator, has great tensile strength, is resistant to chemicals, is a nonconductor of electricity, and absorbs sound. Examples of *asbestos-containing building material (ACBM)* are vinyl floor tile, sprayed-on acoustical ceiling material, pipe and boiler insulation, and roofing felt. As ACBM deteriorates over time, or is disturbed by maintenance, renovation, or demolition activities, it may become *friable*, i.e., it is capable of being reduced to powder by hand pressure. When ACBM becomes *friable*, asbestos fibers are released into the air. Inhalation of these airborne, microscopic asbestos fibers has been proven to cause such fatal diseases as lung cancer, mesothelioma (cancer of the lining of the lung or abdominal cavity), and asbestosis (scarring of lung tissues). Uncontrolled asbestos contamination in buildings has been, and remains, a significant environmental and public health issue. In 1986, Congress enacted the *Asbestos Hazard Emergency Response Act (AHERA)* to require public and private, secondary and elementary schools to identify ACBM in their school buildings and take appropriate actions to control the release of asbestos fibers. In 1987, the US Environmental Protection Agency finalized a regulatory program which enforces the *AHERA* mandate. These regulations are incorporated within the *Asbestos-Containing Materials in Schools Rule* (40 C.F.R. Part 763, Subpart E).

In compliance with the *Asbestos-Containing Materials in Schools Rule*, the **_American Horse School** School/School District had its school building(s) inspected by an asbestos inspector, accredited by the State of **_SO. DAK.**. During that inspection, areas of suspect ACBM were identified. The type, condition, and location of this ACBM were noted. Samples were taken of some or the entire suspect ACBM. Laboratory analysis of these samples confirmed the presence or absence of

ACBM. Suspect ACBM not sampled and analyzed were assumed to contain asbestos. Confirmed and/or assumed ACBM currently remain in certain locations in our school building(s) *(list types and locations of ACBM)*.

Upon confirmation of the presence of ACBM, an Asbestos Management Plan was developed for each of the school buildings in the School/School District by an asbestos management planner, accredited by the State of **SO.DAK.**

The Asbestos Management Plan(s) include a description of the measures currently being taken to ensure that the ACBM remaining in our school building(s) is maintained in a condition that will not pose a threat to the health of our students and employees. These Plan(s) describe past response actions taken to abate ACBM, as well as response actions planned for the future, including *(See* Asbestos Management Plan(s)*)*. The Asbestos Management Plan(s) provide information on the periodic monitoring of the condition of ACBM remaining in our school building(s) through triennial re-Inspections, conducted by accredited asbestos inspectors, and through semiannual surveillance, conducted by trained school maintenance staff.

Copy/copies of the Asbestos Management Plan(s) is/are available for your review in the School/School District administrative office during regular office hours. **8:00- 4:00pm** is the designated Asbestos Program Coordinator for the School/School District. Please direct all inquiries regarding the Asbestos Management Plan(s) to him/her at telephone **6 0 5 -455-1209.**

4.63 FERPA NOTICE

THIS NOTICE IS ALSO GIVEN OUT WITH ENROLLMENT PACKETS AS PART OF STUDENTS ENROLLMENT

FERPA gives parents (as well as students in postsecondary schools) the right to review and confirm the accuracy of education records. This and other United States "privacy" laws ensure that information about citizens collected by schools and government agencies can be released only for specific and legally defined purposes. Since enacting FERPA in 1974, Congress has strengthened privacy safeguards of education records through this law, refining and clarifying family rights and agency responsibilities to protect those rights.

FERPA's legal statute citation can be found in the U.S. Code (20 USC 1232g), which incorporates all amendments to FERPPA. FERPA regulations are found in the Federal Register (34 CFR Part 99). FERPA's 1994 amendments are found in Public Law (P.L.) 103-382.

FERPA Protects Privacy

FERPA applies to public schools and state or local education agencies that receive Federal education funds, and it protects both paper and computerized records. In addition to the Federal laws that restrict disclosure of information from student records, most states also have privacy protection laws that reinforce FERPA. State laws can supplement FERPA, but compliance with FERPA is necessary if schools are to continue to be eligible to receive Federal education funds.

FERPA requires schools and local education agencies to annually notify parents of their rights under FERPA. The notice must effectively inform parents with disabilities or who have a primary home language other than English. The annual notice pertaining to FERPA rights must explain that

parents may inspect and review records and, if they believe the records to be inaccurate, they may seek to amend them. Parents also have the right to consent to disclosures of personally identifiable information in the record, except under authorized circumstances.

FERPA gives both parents, custodial and noncustodial, equal access to student information unless the school has evidence of a court order or state law revoking these rights. When students reach the age of 18, or when they become students at postsecondary education institutions, they become "eligible students' and rights under FERPA transfer to them. However, parents retain access to student records of children who are their dependents for tax purposes.

FERPA Defines an Education Record

Education records include a range of information about a student that is maintained in schools in any recorded way, such as handwriting, print, computer media, video or audio tape, film, microfilm, and microfiche. Examples are:

- Date and place of birth, parent(s) and/or guardian addresses, and where parents can be contacted in emergencies;
- Grades, test scores, courses taken, academic specializations and activities, and official letters regarding a student's status in school;
- Special education records;
- Disciplinary records;
- Medical and health records that the school creates or collects and maintains;
- Documentation of attendance, schools attended, courses taken, awards conferred, and degrees earned;
- Personal information such as student's identification code, social security number, picture, or other information that would make it easy to identify or locate a student.
- Personal notes made by teachers and other school officials that are not shared with others are not considered education records.
- Additionally, law enforcement records created and maintained by a school or district's law enforcement unit are not education records.

Part of the education record, known as directory information, includes personal information about a student that can be made public according to a school system’s student records policy. Directory information may include a student's name, address, and telephone number, and other information typically found in school yearbooks or athletic programs. Other examples are names and pictures of participants in various extracurricular activities or recipients of awards, pictures of students, and height and weight of athletes.

Each year schools must give parents public notice of the types of information designated as directory information. By a specified time after parents are notified of their review rights, parents may ask to remove all or part of the information on their child that they do not wish to be available to the public without their consent.

FERPA Guarantees Parent Review and Appeal

If, upon review, parents find an education record is inaccurate or misleading, they may request changes or corrections, and schools and education agencies must respond promptly to these

requests. Requests should be made in writing, according to an agency's annual notice of procedures for exercising rights to amend records. Within a reasonable time period, the school or agency must decide if the request to change a record is consistent with its own assessment of the accuracy of the record. If a parent's request is denied, he or she must be offered the opportunity for a hearing. If the disagreement with the record continues after the hearing, the parent may insert an explanation of the objection in the record.

FERPA's provisions do not apply to grades and educational decisions about children that school personnel make.

While parents have a right to review records, schools are not required by Federal law to provide copies of information, unless providing copies would be the only way of giving parents access. Schools may charge a reasonable fee for obtaining records, and they may not destroy records if a request for access is pending.

FERPA Restricts Disclosure of Student Records

Local education agencies and schools may release information from students' education records with the prior written consent of parents, under limited conditions specified by law, or as stated in local agencies' student records policies. The same rules restricting disclosures apply to records maintained by third parties acting on behalf of schools, such as state and local education agencies, intermediate administrative units, researchers, psychologists, or medical practitioners who work for or are under contract to schools.

If an education agency or school district has a policy of disclosing records, it must specify the criteria for determining school officials within an agency, including teachers, who have a legitimate educational interest. Generally, school officials have legitimate educational interest if they need to review an education record to fulfill their professional responsibilities.

Teachers and school officials who work with the students and schools to which students apply for entrance may also have access to education records without prior consent of the parent. In addition, information from students' records may be released to state and local education officials to conduct audits or to review records in compliance with Federal laws. Schools may also disclose information from education records without the consent of parents in response to subpoenas or court orders. A school official must make a reasonable effort to notify the parent before complying with the subpoena unless the subpoena is issued to enforce a law and specifies not to notify the parent. In emergencies, school officials can provide information from education records to protect the health or safety of the student or others.

There are cases when schools or school systems decide it is in the public interests to participate in policy evaluations or research studies. If student records are to be released for these purposes, the school or school system must obtain prior consent of the parent. Signed and dated written consent must:

- Specify the records that will be released;
- State the reason for releasing the records;
- Identify the groups or individuals who will receive the records.

- In general, information about each request for records access and each disclosure of information from an education record must be maintained as part of the record until the school or agency destroys the education record.
- Outside parties receiving records must receive a written explanation of the restrictions on the re-release of information.

Additional FERPA Provisions
In 1994, the Improving America's School Act amended several components of FERPA, tightening privacy assurances for students and families. The amendments apply to the following key areas:

Parents have the right to review the education records of their children maintained by the state education agencies.

Any third party that inappropriately re-releases personally identifiable information from an education record cannot have access to education records for five years;
Information about disciplinary actions taken against students may be shared, without prior consent of the parent, with officials in other education institutions;
Schools may release records in compliance with certain law enforcement judicial orders and subpoenas without notifying parents.

School districts, state education agencies, and the U.S. Department of Education all offer assistance about FERPA Before contacting Federal officials, however, you can often get a direct and immediate response from your local or state education officials. The Family Policy Compliance Office can be reached at the following address:

U.S. Department of Education 600 Independent Avenue, SW Washington, DC 20202-4605 (202) 260-3887.

SECTION 500-FISCAL MANAGEMENT

FISCAL MANAGEMENT GOALS

Fiscal management goals can be attained through sound fiscal management. American Horse School (School) utilizes generally accepted accounting principles as applied to governmental entities. The accounting and financial reporting of the School is prescribed by provisions of grants and contracts from Federal or other governmental agencies and may be prescribed by state laws, agreements with employees, and agreements with individuals or private organizations which have donated assets to be used for specific purposes. The School is also bound by administrative regulations of agencies of higher jurisdictions. The Board recognizes that quality education is central to the purpose of the school and that fiscal management must be used as a tool to achieve this purpose by attaining the following goals.

1. To engage in thorough advanced planning with staff and community involvement.
2. To develop budgets to guide expenditures in order to receive the best return for the dollar spent.
3. To establish levels of funding which will provide quality education for the students.
4. To utilize the best available techniques for budget development and management.
5. To require maximum efficiency in accounting and reporting procedures.
6. To follow the Federal guidelines governing the investment of school funds.

GENERAL FISCAL GUIDELINES

These general guidelines should be considered administrative rules and regulations and are to be adhered to as closely as possible by all departments in the procurement of goods and services.

LOCAL BUYING. It is the desire of the School to purchase from local vendors whenever possible. This can be accomplished by ensuring that local vendors that have goods or services available which are needed by the School and that are interested in doing business with the School are included in the competitive process which will precede most purchases. The School has a responsibility to ensure that the maximum value is obtained for each dollar spent so comparison shopping is strongly encouraged.

PLANNING. Planning for purchases should be done on both a short-term and long-term basis. Small orders and last-minute purchases should be minimized, thereby increasing the capability of each department to purchase its goods and services in larger quantities in order to obtain the maximum discounts possible. Planning will also cut down on the number of trips required to obtain materials and minimize the amount of the time spent on documenting purchases. The purchasing process begins with the preparation of the Annual Budget.

OVERDRAFTS PROHIBITED. No purchase will be authorized which would overdraft a budget line item, without prior discussion, Board approval of a budget amendment and documentation.

SALES TAX. The School is exempt from paying all local and state sales tax. The Business Office can provide the necessary exemption documents to any vendor upon request. It is the responsibility of the purchaser to ensure sales tax is omitted from the invoice.

BUYING PROPER QUALITY. Quality and service are just as important as price and it is the duty of the requisitioning department to secure the best quality for the purpose intended. Quality buying is the buying of goods or services that will meet but not excessively exceed the requirements for which they are intended. In some instances, the primary consideration are durability and reliability. With other purchases, it may be a question of immediate availability, ease of installation, frequency of repair or efficiency of operation that must be given primary consideration.

PURCHASING. The function of purchasing is to serve the educational program by providing the necessary supplies, equipment and services. The Board will abide by all laws and regulations relating to purchases by the school and the control of its finances and property. All contracts must the approved by the Board in order to be binding on the school system.

BIANNUAL PAY CERTIFICATIONS. The Business Manager will prepare a payroll certification that must be signed by all employees Biannually, on September 30 and March 30.

FISCAL REPORTING REQUIREMENT. The Business Office shall coordinate with the School administration to complete any and all reporting requirements in a timely manner.

CREDIT CARD PURCHASES.
Credit card purchases must follow the guidelines outlined in this policy. Use of the School-issued credit card should not lead to additional incurred charges and should only be used when it is advantageous to the School.

1. All purchases made with a School issued credit card or by electronic transaction shall be accounted for with purchase receipts retained from the point of sale at which the item(s) were purchased. The requestor/purchaser is responsible for submitting detailed receipts and is responsible to ensure that duplicate receipts are obtained if the original receipts are lost. He/She will initiate a purchase request to account for charges made on the card. The purchaser will advise the vendor that the purchase is tax exempt.
2. The Business Office shall audit the credit card receipts, reconcile the credit card statements and process the charges for payment by the School.
3. Any transaction must comply with all applicable School policies.
4. Purchase of alcoholic beverages is prohibited.
5. Cash advances are prohibited and the card cannot be used for tips.
6. School issued credit cards or any electronic transactions may not be used to pay for any item which does not directly benefit the School.
7. The credit card accounts shall be administered by the Business Office.
8. Personal use of the credit card or any electronic transaction is strictly prohibited. Misuse of a School issued credit card or any electronic transaction will be considered grounds for disciplinary action up to and including termination.

9. Any perks, credits or items of value earned through the use of said School issued credit card shall only be used for the benefit of the School and not for that of any employee. Additional cardholder responsibilities will be communicated as necessary.

5.01 FISCAL MANAGEMENT SYSTEM

The Business Office is organized and maintained in a manner to assist and provide the Administrator with information necessary to create a solid financial basis to operate the school system. Its functions are:

1. To assist the Administrator, department heads, and other school stakeholders in preparing budgets for the operation of the entire school system.
2. To prepare all necessary reports concerning the financial operation of the entire school system.
3. To prepare payroll for all personnel employed by American Horse School.
4. To monitor and assist the food service and transportation program in areas deemed necessary.
5. To assume and carry out other responsibilities assigned by the Board.

TYPES OF FUNDS

The School utilizes the following types of funds within its accounting system.

1. General Fund: The general fund is the operating fund of the School. It is used to account for all financial resources except those required to be accounted for in another fund. The indirect cost charges collected from other funds are accounted for as a separate component of the general fund.
2. Special Revenue Funds: The special revenue funds are used to account for the proceeds of specific revenue sources that are legally restricted to expenditures for specified purposes. These funds are grant /contract funds from Federal or State agencies which represent the activities of various programs which are disbursed by the School and over which the School exercises fiscal and administrative control.
3. Capital Projects Fund: The receipt and disbursement of all financial resources to be used for the acquisition of capital facilities, other than those financed by economic ventures, is accounted for by the capital projects fund.
4. Enterprise Funds: (if appropriate) Enterprise funds are used to account for operations that are financed and operated in a manner similar to private business enterprises where the intent of the governing body is that the costs (expenses, including depreciation) of providing goods or services on a continuing basis be financed or recovered primarily through user charges or enterprise revenues.
5. Internal Service Funds: Internal service funds are used to account for the financing of goods or services provided by one department to other departments of the School and to other governmental units, on a cost reimbursement basis.
6. General Fixed Assets Group of Accounts: The general fixed asset group of accounts identifies an accounting entity, not a fiscal entity, and therefore is not technically a fund. It is used for the recording of general fixed assets and to calculate depreciation expense for all funds except enterprise funds (not exclusively used by any one fund). The purposes of recording general fixed assets are primarily stewardship needs to provide for physical and

dollar value control and secondarily for an accountability for general capital expenditures over the years. These assets are recorded at historical cost or estimated historical cost if the original cost is not available, or, in the case of gifts or contributions, at fair market value at the time received.

7. General Long-Term Debt Account Group: The general long-term debt account group is used to account for the outstanding Administrator balances of the general obligations of the School and other long-term debt not reported in proprietary funds.

BASIS OF ACCOUNTING

Basis of accounting refers to when revenues and expenditures or expenses are recognized in the accounts and reported in the financial statements. Basis of accounting relates to timing of the measurements made, regardless of the measurement for focus applied.

The first three groups of funds identified above (general, special revenue, and capital projects) utilize the modified accrual basis of accounting. The purpose of this is to match expenditures of legal appropriations, or legal authorization, with revenues available to finance expenditures. The modified accrual basis of accounting is defined as: Revenues should be recognized in the accounting period in which they become available and measurable; and, expenditures should be recognized in the accounting period in which the fund liability is incurred, if measurable.

The accrual basis of accounting is used for the enterprise fund and the internal service fund. Accrual accounting means that revenues are recorded in the period in which the service is given, although payment may be received in a prior or subsequent period, and expenses are recorded in the period in which the benefit is received, although payment may be made in a prior or subsequent period.

TYPES OF ACCOUNTS

The accounts utilized by the School in its accounting system include the following:

- Assets: Assets are financial representations of economic resources owned by the School.
- Resources: Resources are the contingent assets of the School, such as estimated revenues applying to the current fiscal year.
- Liabilities: Liabilities are the debt or other legal obligations arising out of transactions in the past which must be liquidated, renewed, or refunded at some future date. (Note: The term liability does not include encumbrances. See below.)
- Appropriations: Appropriations are authorizations to incur liabilities for purposes specified in the contract/grant for which the authorization is made.
- Fund Balance: Fund balance is the excess of the assets of a fund over its liabilities and reserves except in the case of funds subject to budgetary accounting where, prior to the end of the fiscal period, it represents the excess of the fund's assets and estimated revenues for the period over its liabilities, reserves, and available appropriations for the period.
- Revenues: For those revenues which are recorded on the accrual basis, this term designates additions to assets which: a) do not increase any liability; b) do not represent the recovery of an expenditure; c) do not represent the cancellation of certain liabilities without a corresponding increase in other liabilities or a decrease in assets; and d) do not

represent contributions of fund equity in the enterprise fund. The same definition applies to those cases where revenues are recorded on the modified accrual basis, except when revenues are generally either limited to partially or entirely cash.

- Expenditures: Expenditures are recorded when liabilities are incurred pursuant to authority given in an appropriation. If the accounts are kept on the accrual basis or the modified accrual basis, this term designates the cost of goods delivered or services rendered, whether paid or unpaid, including expenses, provision for debt retirement not reported as a liability of the fund from which retired, and capital outlays.
- Encumbrances: Encumbrances are contingent liabilities in the form of purchase orders, contracts, or salary commitments which are chargeable to an appropriation and for which a part of the appropriation is reserved. They cease to be encumbrances when paid or when the actual liability is recorded.

5.02 FUND BALANCE POLICY IN ACCORDANCE WITH GASB STATEMENT NO. 54

The Board will ensure that the school maintains adequate fund balances and reserves in order to:

1. Provide sufficient cash flow for daily financial needs.
2. Secure and maintain investments grade bond ratings.
3. Offset significant economic downturns or revenue shortfalls.
4. Provide funds for unforeseen expenditures related to emergencies.

5.03 ANNUAL OPERATING BUDGET

The school budget is regulated and controlled by federal legislation, regulations and Board requirements. The annual preliminary operating budget will be prepared and presented to the Board every May. The budget shall be based on all sources of revenue available to the Board for operations of the school and proposed expenditures.

5.04 BUDGET GOALS AND OBJECTIVES

The annual operating budget established by the Board shall incorporate:

1. Programs and staff required to implement identified goals and student learning needs.
2. A focus on personnel providing direct education and support services for students.
3. Ongoing programs designed to maintain and enhance the educational aspirations of students.
4. Procedures for modification in the revenue for the operation of educational services for students.
5. Procedures for insuring adherence to legal and other considerations for all programs at the school.

5.05 FISCAL YEAR

Fiscal year for operation of the school shall be July 1 to June 30, unless otherwise legislated by funding agencies.

5.06 BUDGET PREPARATION

The Administrator along with each department supervisor shall be responsible for developing and establishing their department's budget. All budgets shall follow the respective department's/school's goals and objectives. The Business Manager shall be responsible for reviewing and monitoring the annual budget preparation procedures adopted by the Board.

The Administrator is responsible for implementing input activities into budget development for school programs by consulting with program supervisors and staff concerning program needs and activities.

Administrators are allocated an amount of funding annually to operate the program they supervise with the identification of budget line-item amounts developed by consulting with the Administrator. The administrators shall meet annually, within the first month of school, to inform their employees of their respective budget limitations.

The Administrator and Business Manager will document overall budget needs for presentation to the Board annually and submit budget modifications for approval as necessary. Administrators develop cuff accounts for budget line items with the Business Manager and monitor their approved budget with the Administrator and Business Manager.

5.07 BUDGET ADOPTION

The Board shall approve the preliminary budget at the budget meeting in May based on information, salary schedules and data submitted by the Administrator. Administrators are required to submit projected budget needs, enrollment projections, revenue projections, goals and other information by April as requested by the Administrator.

5.08 BUDGET IMPLEMENTATION

The budget serves as the control to direct and limit expenditures. Overall responsibility for this control is with the Board. The Administrator is authorized to spend money called for in the budget classification without further approval of the Board, up to $10,000.00. Board approval must be secured to expend money in excess of $10,000.00 or beyond each budget item.

5.09 PERIODIC BUDGET RECONCILIATIONS

The Business Manager is responsible for comparison of expenditures with budget amounts for each Federal award and implementing monthly budget reconciliations and for reporting this information to the Board for approval at the monthly budget meeting.

5.10 EMERGENCY CHANGES

The Administrator and Business Manager shall advise the Board of the need for any changes and provide the Board with proposed revisions for their approval prior to any changes being implemented. The Business Manager will advise administrators of actual revenue received and consult with appropriate administrators in regard to any proposed modifications.

5.11 DEBT LIMITATION

The Board shall not incur debts for operation of the school in excess of actual revenue available, unless approved by all five (5) members of the Board at a public meeting. The Business Manager shall be responsible for reporting fiscal information to the Board regularly to advise them of anticipated and actual revenue resources. Under any circumstances the School Board will not authorize the use of certificate of deposits (CD) as collateral for loans.

5.12 LOCAL TAX REVENUES

The Administrator in consultation with supervisors shall develop specific budget line items for the expenditure of any local tax revenue funding being available for approval by the Board prior to any expenditures from this resource. Budget line items and expenditures for any acquired local tax revenue shall be made in accordance with applicable regulations.

5.13 SHORT TERM NOTES

The Board has the authority to acquire short-term debt obligations occurring within a fiscal year through the use of a line credit arrangement with their banking institution according to the following guidelines, if the debt:

1. Is for the repayment of services or other items that fall into approved line-item expenditures within the approved budget.
2. Is for the purposes of providing for continued operation of the school.
3. Does not exceed the total amount of revenue authorized within a contract or grant.

When the Board deems such action necessary and in the best interest of the school, all five (5) Board members must adopt a motion.

5.14 INVESTMENTS/INVESTMENT EARNINGS

The Business Office shall seek investment opportunities that are secure, fully insured and that provide a reasonable rate of return for funds of the school. The Administrator and Business Office shall prepare recommendations for the Board for the use of that income from investments that are included in the annual budget each year.

School funds received pursuant to 25 U.S.C. § 2507(a) that are not in use will be invested in a savings account, time deposits or in bonds or securities issued and guaranteed by the United States Government. All deposits funds will be fully insured to cover the failure of the banking institution. Funds shall be invested only in obligations of the United States, or in obligations or securities that are guaranteed or insured by the United States, or mutual (or other) funds registered with the Securities and Exchange Commission and which only invest in obligations of the United States or securities that are guaranteed or insured by the United States; or deposited only into accounts that are insured by an agency or instrumentality of the United States or are fully collateralized to ensure protection of the funds, even in the event of a bank failure.

American Horse School shall not be held accountable for interest earned on BIA Indian Education Funds, pending their disbursement by the school.

5.15 GRANTS

The Board has the authority to acquire supplementary funding and shall approve all new and continuation applications for grants. Title to any materials, equipment, supplies, facilities, purchased via grant allocations will vest in American Horse School upon acquisition. American Horse School shall not be responsible for debts or obligations incurred by second party grants.

All grant funds shall be received and expended according to fiscal procedures legislated by the granting agency, the finance procedures established in 2 CFR 200, and fiscal procedures adopted by the Board. Directors of approved grants received by the Board shall be responsible for program expenditures.

5.16 RENT INCOME/SECURITY DEPOSITS

A security deposit will be assessed on each housing unit controlled by the Board. This security deposit will be held by the school until such time as the tenant vacates the rental unit. An examination of the rental will be conducted by the facilities department. The cost of any damage to the unit caused by abuse or neglect by the tenant will be billed against the security deposit held by the school. Any additional amounts needed for further damages will be deducted from the employee's final pay check. Any remaining balance will be refunded to the tenant upon satisfaction of damage claims.

5.17 EQUIPMENT RENTAL

Daily rental fees from facilities or equipment use will be received by the business office. A deposit will also be required for security. Rates will be determined annually by the Administrator and Business Manager. All rental agreements must be approved and payment received by the Business Manager prior to beginning of rental term. Facilities Manager inspects equipment or premises after use and approves refund of the deposit.

5.18 DEPOSITORY OF FUNDS

The Business Manager or her/his designee shall be responsible for depositing all funds of the Board in identified and approved accounts and for reporting these deposits in the monthly budget report. Advance payments of Federal funds must be deposited and maintained in insured accounts whenever possible. Deposits in excess of the FDIC threshold must be fully collateralized by the bank. The school shall maintain proof of collateralization. The school must maintain advance payments of Federal awards in interest-bearing accounts.

5.19 BONDED EMPLOYEES AND OFFICERS

Employees and the Board members, who are assigned responsibility for receiving and dispensing school funds, shall be bonded by a blanket fidelity bond paid for by the Board. Authorized check signers must be covered under this blanket bond. The bonds must be obtained from companies

holding certificates of authority as a federally approved acceptable sureties, as prescribed in 31 CFR part 223.

5.20 FISCAL ACCOUNTING AND REPORTING

The Board shall establish a uniform financial accounting system that will be used to record receipts and disbursements of the school budget and conform within federal regulations and generally accepted accounting principles. These records must contain information pertaining to Federal awards, authorizations, financial obligations, unobligated balances, assets, expenditures, income and interest and be supported by source documentation. The records must identify, in the accounts, all Federal awards received and expended and the Federal programs under which they were received. Federal program and Federal award identification must include, as applicable, the Assistance Listings title and number, Federal award identification number and year, name of the Federal agency, and name of any pass-through entity, The Board shall adopt procedures for monthly, quarterly and annual reporting of all fiscal transactions of the school.

The Business Office shall make monthly financial reports to the Board that contains an account of all receipts and disbursement of school funds in accordance with the certified fiscal accounting and reporting system. The Business Office is responsible for receiving and properly accounting for all school funds and will report all financial information to funding source(s) as required.

5.21 PROPERTY AND EQUIPMENT

The Business Manager shall be responsible for coordination of annual physical inventory of all property and equipment owned or in the custody of the school. Final summary copies of all inventories shall be made available to the Board for review.

All items with an original purchase price in excess of $5,000 shall be tagged and capitalized in the General Fixed Asset Account Group. Items with purchase price of less than $5,000 shall be included on the detailed inventory list but will not be capitalized.

The school shall adequately safeguard all capital and non-capital assets and assure that they are used solely for authorized purposes.

Property and equipment records shall be maintained that include a description of the property, a serial number of other identification number, the source of funding for the property (including the FAIN), who holds title (including the type of title), the acquisition date, and cost of the property, percentage of Federal participation in the cost of the property, the location, use and condition of the property, and any ultimate disposition including the date of disposal and sale price of the property or trade in value.

A physical inventory of the property shall be taken and the results reconciled with the property annually. A control system shall be developed to ensure adequate safeguards to prevent loss, damage, or theft of the property. Any loss, damage or theft shall be investigated. Depreciation shall be taken on capital property. The method of depreciation shall be the straight-line method. Depreciation procedures shall be in compliance with GASB 34 regulation.

1. *Acquisition Procedure*

   The following procedures shall apply when equipment is acquired:

   A. Upon arrival, all equipment shall be delivered to the business office.
   B. A receiving report shall be completed. Information shall be entered into the General Fixed Asset Account Group in the computer.
   C. The equipment shall be tagged.
   D. Individual shall then pick up the equipment.

2. *Disposition* Procedure

   The following procedures shall apply when equipment is no longer needed:

   A. A disposition report shall be completed. The fair market value shall be determined.
   B. The equipment shall be deleted from the General Fixed Asset Account Group.
   C. Equipment purchased by American Horse School that needs to be disposed of shall be submitted to the Board for approval to be declared surplus. Final disposition of equipment will be based upon recommendation of business manager to the board.
   D. If the fair market value of the item is in excess of $5000, the school must request disposition instructions from the Federal awarding agency if required by the terms and conditions of the Federal award. If the Federal awarding agency fails to provide requested disposition instructions within 120 days, items of equipment with a current per-unit fair market value in excess of $5,000 may be retained by the school or sold. The Federal awarding agency is entitled to an amount calculated by multiplying the current market value or proceeds from sale by the Federal awarding agency's percentage of participation in the cost of the original purchase. If the equipment is sold, the Federal awarding agency may permit the non-Federal entity to deduct and retain from the Federal share $500 or ten percent of the proceeds, whichever is less, for its selling and handling expenses.
   E. If the fair market value of the item is less than $5,000, it may be retained, sold, or bids may be let. This shall be determined by the Board.

5.22 AUDITS

The Board shall have external financial and compliance audits performed on all school program accounts and sources of revenue within ninety (90) days of the fiscal term. Audits shall be conducted by a CPA firm in accordance with all applicable laws and in accordance with the Single Audit Act and 2 CFR 200, Subpart F. The Board shall review and approve the audit reports as presented by the auditor.

5.23 EXPENDITURE OF FUNDS

The Board shall authorize, develop and utilize procedures for the expenditure or obligation of school funds that meet applicable funding guidelines and in accordance with cost principles in 2 CFR 200, Subpart E.

General policies regarding cash disbursements include the following:

iv. All checks shall be numbered and maintained in a secure location.
v. Unused checks shall be in the custody of designated personnel
vi. Checks shall be prepared only after receipt and verification of supporting documents and will be issued in accordance with the Payment Process.
vii. Spoiled and voided checks shall be mutilated by removing the signature line and writing "void" across the face of the check. (All such checks shall be retained.)
viii. I nvoices, purchase orders or other applicable support documents shall be attached to the accounts payable voucher before a check is processed.
ix. All checks shall be prepared on a timely basis. The School will make payments in accordance with the Payment Process. However, checks will be released only if specific program funds are available or authorized.
x. All checks require the original signature of authorized signatories.
xi. The Business Office shall maintain a numerical file by checking account of copies of Program checks with supporting documentation.
xii. All check disbursements are processed through the automated accounting system.

5.24 CHECKING ACCOUNTS

The Board shall identify and approve of checking accounts to be used in processing fiscal transactions and payroll and identify the banking institution to which checking accounts may be maintained.

Bank Reconciliation – All bank statements should be received by the Business Office. The staff that handles the accounts should not do the bank reconciliation for the account. The staff should reconcile each other's accounts as an internal control so that the duties are segregated. Any items that don't reconcile should be investigated and adjustments should be done via journal entries and approved by the Business Manager. Once all entries are made and all suspense items are eliminated except for timing transactions which will wash the next month, the reconciliations will be submitted to the Business Manager for approval.

It is the policy of all incoming or outgoing funds for the school's bank account to be recorded in the general ledger on a timely basis. Frequent bank reconciliations are essential to prevent fraud and to ensure that the schools funds are handled with fiscal and fiduciary responsibility.

5.25 AUTHORIZED SIGNATURES

Individuals authorized to sign checks shall consist of the Board members and the Administrator. All check signers are required to be on the authorized signature card at the bank. All printed checks shall require two signatures. No checks shall be made out to Cash unless approved by the Board.

5.26 PETTY CASH ACCOUNTS

The Board will not allow the establishment of any petty cash accounts for the school.

5.27 PAYROLL PROCEDURES

Charges to Federal awards for salaries and wages must be based on records that accurately reflect the work performed. These records must:

1. Be supported by a system of internal control which provides reasonable assurance that the charges are accurate, allowable, and properly allocated;
2. Be incorporated into the official records;
3. Reasonably reflect the total activity for which the employee is compensated by the School, not exceeding 100% of compensated activities;
4. Encompass both federally assisted and all other activities compensated by the School on an integrated basis;
5. Support the distribution of the employee's salary or wages among specific activities or cost objectives if the employee works on more than one Federal award; a Federal award and non-Federal award; an indirect cost activity and a direct cost activity; two or more indirect activities which are allocated using different allocation bases; or an unallowable activity and a direct or indirect cost activity.

In accordance with Department of Labor regulations implementing the Fair Labor Standards Act (FLSA) (29 CFR part 516), charges for the salaries and wages of nonexempt employees, in addition to the supporting documentation described in this section, must also be supported by records indicating the total number of hours worked each day.

Salaries and wages of employees used in meeting cost sharing or matching requirements on Federal awards must be supported in the same manner as salaries and wages claimed for reimbursement from Federal awards.

Employees shall be paid according to their contract agreement on file in the Personnel Office with the following guidelines:

1. Employee payroll shall be issued on a weekly basis, the following Wednesday.
2. Each pay period begins on Sunday and ends on Saturday.
3. No salary advances shall be authorized for any employee.
4. No salary payments shall be made to employees who do not have an employment contract approved by the Board and signed by the employee on file.
5. Employee payroll shall not be made without a signed and completed timesheet documenting actual hours of employee service for that pay period. The timesheet shall support the distribution and allocation of the employee's salary or wages among specific activities or cost objectives if the employee works on more than one Federal award.
6. Supervisors shall submit all timesheets by noon on the Monday following the pay period. Approved leave slips will be attached to the timesheet when an employee is taking leave during a pay period. Leave will not be paid without an approved leave slip.
7. ALL employees must have a current I-9 and W-4 form on file in the payroll office prior to receiving any payment for services.
8. All full-time employees will be required to have direct deposit.

9. A copy of each employee, temporary employees, and substitute employees must have a copy of a Social Security Card on file in the Business Office prior to receiving a payroll check.
10. Employee must file job certification semi-annually.
11. Payments for stipends must be approved by Administrator and must be taxed accordingly.
12. Stipend payments will be paid after the event/activity has occurred.
13. Extra-Duty for athletic and activity assignments shall be paid at the completion of their extra duty activity and must be approved by the Athletic/Director. However, all extra duty payroll checks shall be disbursed through the normal payroll process.

5.28 SALARY DEDUCTIONS

The Board shall deduct and withhold from the wages of employees:

1. The amount of federal income tax required by federal law.
2. The amount of social security tax required by federal law.
3. Other taxes/fees as mandated by federal, tribal and state law. These taxes/fees shall be paid by the employee, rather than the school.
4. The amount owed to the Board for rental of school owned housing based on the housing agreement.
5. The amount owed for damage to school owned housing or property as assessed by the Board.
6. The amounts for employee share of fringe benefit costs.
7. New employees are not eligible for payroll deduction until they have been employed for 90 days.
8. Non-certified staff employee benefits will be offered after 60 days.

The Business Manager is authorized to approve payroll deductions for employees for scheduled payments, if the employee signs a power of attorney for the authorization of such deduction with no liability for collection to be assumed by the Board for repayment of the employee liability.

Mandatory Board deductions shall be deducted or withheld first, before voluntary employee deductions are withheld. No employee shall be able to have more than 50% of voluntary payroll deductions deducted from each paycheck.

Employees cannot take out a loan to pay off an existing loan.

Loans must be paid off in full, in order for staff to complete a loan rewrite.

The Board reserves the right to accelerate demand for payment of monies, reimbursements, or payments owed to American Horse School. If an employee terminates her/his employment, or resigns without notice, the Board may hold the employee's final paycheck(s) until paid or it may offset the amount owed from the employee final paycheck.

5.29 EXPENSE REIMBURSEMENT (Employee/Board Travel)

Travel authorizations, statements, receipts, and other accountability documents shall be completed by all employees and Board members participating in approved off-site activities. All requisitions for group travel are required to be turned into the business office no later than two weeks before travel.

Before a reimbursement is made to an employee or Board member for any travel expenses, it must be appropriately authorized as indicated by the following:

1. TRAVEL AUTHORIZATION - Proper travel authorization procedures must occur for any travel when conducting official school business. A travel authorization for any employee must be approved and signed by their supervisor, the Business Manager and the Administrator. Board member's travel shall be approved by the Board at an official meeting of the Board and will require a travel authorization signed by the Chairperson of the Board or Administrator. No travel will be paid without a completed and approved travel authorization. Travel authorizations shall be submitted to the Business Office one-week prior to the desired travel date. If travel requires flight accommodations, travel authorization shall be submitted to the Business Office three weeks prior to the desired travel date. Proof of training to be attended must accompany the travel authorization upon submission.
2. PER DIEM - Per diem will be paid to employees and Board members for overnight trips, when conducting official school business, using the applicable federal per diem rates established by the U.S. General Services Administration (GSA) for meals and incidental expenses (M&IE) based on the travel location and dates of travel. The school will pay 75% of per diem on 1st and last day of travel regardless of when you leave. Any meals included in registration fees to attend a conference, training or meeting will not be reimbursed by the school.
3. TRAVEL STATEMENT - Upon return from approved travel, the employee or Board member must submit a travel statement for reimbursement, or documentation of actual expenses incurred from a travel advance already received by the employee or Board member. No reimbursements from travel advance until the debt is collected in full. No reimbursements from prior fiscal year(s). No travel will be authorized for an employee or Board member who has not completed a travel statement within the timeline from a previous trip. Travel receipts must be submitted within 5 business days of the final day of travel, or they will not be paid. All travel statements shall be submitted within 5 business days following return from authorized travel for which an advance was received.

   The cost of any travel advance owed to the school shall be deducted from future checks of the employee or Board member check if a travel statement has not been submitted from a previous trip and the reimbursement owed to the School has not been repaid within thirty (30) days. Any employee or Board member receiving a travel advance and who does not attend shall return the advance immediately.
   a. No reimbursements from prior fiscal year(s).
4. RECEIPTS - Employees and Board members submitting travel statements are required to attach receipts prior to reimbursement. Failure to attach receipts may result in the employee or Board member having to reimburse the school for amounts not substantiated by receipts. No handwritten receipts shall be accepted as proof of lodging, meals, or

travel expenses. If attending a conference or workshop, the Board member or employee shall complete a travel report and submit with travel statement.

5. LODGING AND MISCELLANEOUS EXPENSES - These costs may be reimbursed to employees and Board members based on actual costs incurred. Itemized receipts must be present to substantiate costs incurred.
6. MILEAGE CLAIM - Mileage for use of employee or Board members personal vehicle for official school business shall be paid at established by the school board at the rate $0.75. To be eligible for mileage reimbursement, travelers must complete a mileage sheet (within one month upon completion of travel), and possess a valid Driver's License. This mileage sheet must give the detail of the miles traveled such as the start and stop times, destination from and to, the number of miles traveled, and a calculation of the reimbursement due the traveler. Employee's immediate supervisor and Administrator must also approve the reimbursement.
7. Travel stipend for school board members and non-contract days for employees will be $200 per day. Meeting stipend for non-contract days for employees will be $150 per day. Board working sessions $200 per day for full day. Based upon availability of funds, the Board may set establish different amounts during the current school year.
8. Travel advance payment will not be released until two (2) business days prior to the established travel date.
9. Employees/Board members traveling will be required to provide a receipt (gas, meal, etc.) that documents the travel start date and travel return date.
10. Any Employee/Board members that owe travel will not be permitted to travel until previous travel expenses owed are paid in full.
11. Any travel repayments owed will be deducted from School Board stipends, any incentives owed to employee/Board members, and/or from staff paychecks.
12. Consultants will not charge AHS for mileage, accommodations, meals, unless AHS requests the Consultant to attend trainings or other meetings on behalf of AHS. If this is the case, then AHS agrees to cover all costs associated with travel for the Consultant, but in accordance with AHS travel policy.

5.30 PURCHASING

The Board shall ensure that all purchases are made in the best interest of the school and comply with tribal, state and federal rules and regulations. Employees must utilize purchasing procedures, which will be processed through the Business Office in the following manner:

1. Staff needing supplies must complete and sign a purchase request and submit it to their immediate supervisor listing the pertinent information and name of the vendor. Supervisors will ensure need and available funding to cover expenditures noting account number on purchase requisition. The immediate supervisor will verify their approval through a signature. The Administrator and Business Manager will approve for reasonable budgeted expense. Expenditures exceeding $10,000 or more must have Board approval.
2. Purchase requests shall be submitted to the business office one week prior to the desired purchase date. Upon submission to the business office a purchase order will be prepared with the following exceptions:

A. Board stipends will be paid from preliminary board minutes, voucher and the attendance roster, and shall be subject to payroll procedures and necessary withholding.
B. All stipends for staff and consultants must be approved by the Board.
C. Travel authorizations will be used when requesting permission and an advance to travel for the school.
D. Field Trip Request Form will be used when requesting permission and advances for any trip with students. All out of state travel with students must be approved by the Board (with the exception of towns located within a 125-mile radius).
E. American Horse School will utilize the standard federal U.S. General Services Administration (GSA) rates for meals and incidentals expenses. These rates will be based upon current and relevant GSA policies and practices for meals and incidentals.
F. Student Activities purchases only require a purchase requisition.
G. Recurring expenses. (i.e., monthly utilities, etc.) Utilities and fixed costs require voucher approval by the Business Manager. Once proper approval signatures are affixed, this form shall be attached to the invoice and follow the Schools General Purchasing procedures as outlined above.
H. Contractual services with a Board approved written contract.
I. Expenses approved by the Board will be documented with a copy of Board minutes and approved voucher, invoice or contract.
J. Purchases and field trips receipts are due within 14 days. The employee who received the check/purchase order will be held responsible, should they fail to turn in receipts the funds will be deducted from their payroll check.
K. Funds from one purchase or field trip request cannot be applied to another. Any remaining funds must be returned to the business office.
L. There will be no further purchase, field trip, or extra-duty requests processed until receipts from the previous request(s) are turned in.
M. A Reimbursement Form must be completed for any overages from purchase or field trip requests and approved by the supervisor before overages can be reimbursed.
N. No reimbursements after 30 days from the date which the debt has been collected in full.
O. No reimbursements from prior fiscal year(s).

3. The Business Office shall enter the information from the purchase request form into the computer and will verify the purchase/purchases will not over spend the budget. A purchase order will be printed and given back to the Business Manager for signature.
4. The purchase order shall be printed from the accounting software and will be automatically numbered.
5. Once goods are received, the copy of the purchase order (or acceptable documentation) stated in (2) above, will be filed in the Business Office and will be compared to the goods received. If no variances exist, the Business Office shall prepare the voucher and attach the purchase order, (or acceptable documentation) purchase request and invoice. This packet of information will be given to the Business Manager who shall verify all the

necessary information is included. If all necessary information is included, the Business Manager shall sign the voucher at the bottom of the purchase order.

6. Orders not received after sixty (60) days will be canceled.
7. Emergency purchases may be made with the concurrence of the Business Manager and Administrator. Their concurrences shall be documented by dual signatures on the reimbursement form. However, emergency purchases will only be made if the public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation. A written justification is required.
8. Absolutely no ordering for supplies, materials, equipment or any type of service will be done without a purchase order. Staff members are liable for payment of purchases made without a purchase order.
9. Any service contracts in excess of $10,000.00 must be approved by the Board.
10. For any lost check that needs to be replaced the payee will be responsible for all fees incurred.

5.31 PURCHASING GUIDES AND VENDOR LISTS

The Business Office shall be responsible for disseminating information to staff and vendors concerning purchasing and procurement guidelines. The Business Office shall be responsible for acquiring and maintaining vendor lists and catalogs and for disseminating updated listings of available catalogs for use by personnel.

5.32 PROCUREMENT METHODS

1. Micro-purchases: under $10,000, do not require competition or a cost/price analysis, but must be distributed equitability among qualified suppliers.
2. Procurement requiring competition
   A. Small purchase: $10,000-$250,000, Award based on price alone requires price and rate quotes. A Request for Quote to be sent to no less than three vendors and quotes must be obtained from an adequate number of qualified sources. (At least two). Award based on competitive proposals requires a written method for conducting the technical evaluation and must specify whether the award is based on fixed price or cost reimbursement. A Request for Proposal must be sent to at least three vendors, and proposals must be received from two or more vendors (At least three).
   B. Sealed bids: Awards based on price alone over $250,000 using firm fixed price contract require formal advertising of at least ten (10) days. Two or more qualified bids must be received, and the bids must be opened at a public meeting.
   C. Competitive proposals for purchases over $250,000 or services greater than $50,000. This method is used when award based on more than price is most advantageous to the School, or sealed bidding is not appropriate, requires advertising for not less than ten (10) days. Award based on competitive proposals requires a written method for conducting the technical evaluation and must specify whether the award is based on fixed price or cost reimbursement. Proposals must be received from two or more vendors.
   D. Noncompetitive Procurement: This method is used when the items are only available from a single source. One or more of the following must apply:
      a. Available only through a single source.
      b. Public exigency or emergency will not permit delay required for

competition.

c. Awarding agency has expressly authorized a noncompetitive process, or after solicitation of a number of sources.
d. After solicitation of a number of sources, competition is deemed inadequate.
e. All Noncompetitive Procurements over $10,000 but under $250,000 must be approved by the School Board. All Noncompetitive Procurements over $250,000 must be approved by the School Board and the federal or state agency awarding the funds used for the procurement if applicable.

E. In the event that a prospective vendor, defined as a vendor who was eligible to respond to a procurement, or a vendor who did respond to the procurement but was not awarded a contract wishes to dispute the procurement decision, the vendor must submit a written protect with the Administrator in writing within five (5) business days of the date on which the dispute arose. The protest shall specify the reasons and facts upon which the protest is based. The Administrator, as the contracting officer, shall then investigate the protest and provide a decision in writing within fifteen (15) business days of receiving the written protest. The written decision must include the evidence found and the basis for the decision. If the prospective vendor is dissatisfied with the decision of the Administrator, a written appeal to the School Board must be filed in the Administrator's Office within five (5) business days of issuance of the Administrator's written decision. The appeal must set forth the reasons for the appeal and must specify what portions of the protest decision are being appealed.

   The AHS School Board may hold a hearing on the protect or may decide the protest based on the record, which includes the Protest, the procurement file, the Administrator's written decision and any supporting document submitted to the School Board supporting the Administrator's decision, and the written appeal and any documents submitted therewith. The School Board retains sole discretion to determine if a hearing is required. The School Board will issue a written decision within fifteen (15) business days of the date of the next School Board meeting scheduled following the date the Appeal was received by the Administrator, unless factors beyond the AHS School Board's reasonable control prevent the issuance of the decision in this timeframe, in which event such decision will be issued as expeditiously as circumstances reasonably permit. The decision will state the reasons for the decision of the School Board. A copy of the written decision will be furnished to the protestor and any other parties affected. The decision of the School Board shall be the final decision of AHS.

   The procedure and time limits set forth in this policy are mandatory and are the protestor's sole and exclusive remedy in the event of a protest. The protestor's failure to fully comply with these procedures shall constitute a waiver of any right to further pursue the protest.

F. **Oglala Sioux Tribe Tribal Employment Rights Certified Firms Preference.** AHS shall comply with the requirements of the Oglala Sioux Tribe (OST) Tribal Employment Rights (TERO) Ordinance and regulations including the requirements

for TERO Certified firm preference in all procurements over $2,500.00. The only exception to this requirement is procurements funded with federal funds where the funding agency laws or regulations do not permit the application of a TERO law provision or regulation, in which case, AHS shall obtain funding agency confirmation in writing that laws or regulations do not permit the application of a TERO law provision or regulation, shall submit the funding agency confirmation to the OST TERO Office prior to procuring goods or services using the funding agency funds. AHS shall also comply with the Indian Preference requirements set forth in 25 U.S.C. 5307(b), which include, to the greatest extent feasible, preference in procurement shall be given to members of federally recognized tribes or Indian organizations and economic enterprises that are 51% or more owned by members of federally recognized tribes

5.33 BID REQUIREMENTS

Contracts must be left for all purchases except in the following cases:

1. Purchasing textbooks with related workbooks and general school supplies.
2. Emergency maintenance that would necessitate the closing of the school or that would endanger the usefulness of school property, including but not limited to contracts for asbestos removal in emergency situations.
3. When purchasing facilities, equipment and supplies from another school including public auctions.
4. Upon the purchase of copyrighted materials that are copyrighted by only one company.
5. Purchasing of electric power, light water, or gas.
6. Purchasing of perishable food, raw materials used in the construction or manufacture of products for resale.
7. Purchasing of contracts for services provided by individual or firms for consultants, audits, legal services, architectural services, engineering services, insurance and transportation for students.

Bids for materials, supplies or equipment involving a purchase price of more than $50,000 or more will be advertised and printed in a newspaper for at least ten (10) days prior to the opening of bids.

The Board will make a statement in the advertisement that they reserve the right to reject any and all bids and that any bid may be withdrawn or modified before the time of opening. Sealed bids will be publicly opened and read at the time and place stated in the advertisement. The advertisement will state the time and place the bids will be opened and acted upon by the Board.

In purchasing goods, merchandise, supplies or equipment, the Board will not specify any trademark or copyrighted brand on any product or any patented product, apparatus, device or equipment where proper competition will be prevented unless bidders are also asked for bids or offers upon other articles of like nature, utility and merit, and naming the make or brand to indicate the type or duality specified.

If, after advertising for bids, no bids are perceived, the Board may negotiate a contract of the

purchase of the materials, supplies or equipment at the most advantageous price. However, such materials, supplies or equipment will meet the specifications of the original advertisement for bids.

The Board will contact and attempt to obtain competitive quotations from at least three (3) suppliers. A record of the names of the suppliers, the quotations received, and the procurement procedures used in purchasing will be documented, noted in the minutes, and retained on file by the Business Office.

When supplies and equipment are received, they will be opened and inspected by the Business Office, and compared with the written order to see that they were received as ordered and in acceptable condition for payment.

5.34 PURCHASE ORDERS AND CONTRACTS

All materials to be ordered by the employees must be requisitioned through the supervisor first, then property and supply for processing. The Business Office will maintain a central record system for the purpose of combining orders, avoiding duplication of purchases, taking full advantage of lowered prices for bulk purchasing, to follow up on delayed orders of delivery and to reconcile deliveries to orders before payment is made. This delivery control will be applied to all purchases.

If any person orders material other than through the Business Office he/she is responsible for their payment.

1. The employee requesting the purchase of goods or services must acquire, complete, and submit a requisition form to the property clerk. The form must include all requested purchasing information and the signature of the employee's immediate supervisor.
2. The property and supply clerk shall submit it to the head accountant who shall:
   a. Review fund balances from which the item is to be purchased.
   b. Assign the appropriate accounting code.
   c. Sign the form and send it to the Administrator for final approval.
3. If the Administrator provides final approval for the purchase, the form is returned to the Business Office who will:
   a. Type all form information on a Purchase Order.
   b. Assign the appropriate Purchase Order number.
   c. Send the Purchase Order to the head accountant for signature.
   d. Send to the Administrator for final approval and signature.
   e. Process a check to purchase goods or service.
4. When Purchase Order is signed by the Business Manager and the Administrator, the Business Office:
   a. Provide the vendor with a copy of the Purchase Order.
   b. File a copy of the Purchase Order in the vendor file.
   c. File a copy of the Purchase Order in files maintained by the Business Manager.
5. The vendor, upon submittal of an itemized invoice and upon review to the Purchase Order number authorization shall receive payment.
6. Upon receipt of purchased items, the Business Office shall compare goods received with

invoiced items and tagged and inventory items.

Approved disbursements of payments for purchased goods and services shall be made on a monthly basis by the Board.

5.35 PAYMENT PROCEDURES

All claims for payment from school funds will be processed by the Business Office. The Business Office shall minimize the time elapsing between the transfer of funds from the United States Treasury and the disbursement by the Business Office. Payment will be authorized against invoices properly supported by approved purchase orders, against properly submitted vouchers, or in accordance with salaries set by the Board.

Lists of accounts payable, including payroll list, will be certified by the Business Office and approved by the Board. Actual invoices, statement and vouchers will be available for Board inspection.
The Business Office is responsible for assuring the budget allocations are observed and that total expenditures do not exceed the amount allocated in all budget line items. The supervisor is responsible for observing budget allocations in their respective programs. The Business Office is responsible for determining the allowability of costs in accordance with subpart E of 2 CFR 200 and the terms and conditions of the Federal awards.

5.36 INSURANCE MANAGEMENT

The Board has the responsibility to maintain an adequate and comprehensive insurance program to protect the property and equipment under its control and individuals discharging responsibilities for the Board. It will seek adequate appropriations for such coverage. The Board may also authorize and participate in an insurance program for staff and students.

The Business Office shall be responsible for the management of all school insurance programs and the safekeeping of policies. Purchase of insurance shall be according to all applicable laws.

5.37 TAX SHELTERED ANNUITIES

Tax sheltered annuity programs or retirement for the school special status as determined by the IRS are available to the staff members.

5.38 LIABILITY INSURANCE

The Board may provide insurance for the liability of its officers or employees for damage resulting from wrongful acts and /or omissions committed by the Board and its officers or employees.

5.39 PROPERTY INSURANCE

The Board shall carry necessary and appropriate property insurance to adequately cover possible losses in the use of its buildings and vehicles. Federally-owned property need not be insured

unless required by the terms and conditions of the Federal award.

Renters shall obtain necessary renter insurance for personal property loss. The Board is not responsible for theft in buildings under a rental or facilities agreement.

5.40 GROUP INSURANCE

The Board may provide coverage under group life, health, dental, vision, or short-term disability insurance for all fulltime employees. Additional insurance coverage may be available to employees at their own expense.

5.41 WORKERS COMPENSATION

In case of injury while pursuing duties in keeping with the employee contract or work agreement, the employee will receive compensation and expenses as prescribed by the workers compensation laws.

An employee who is injured while at work should immediately report this injury to the supervisor and request the necessary forms as soon as possible to make application for payment under this law.

5.42 STUDENT ACTIVITIES FUND MANAGEMENT

All money received by students and staff for student activities shall be turned over to the Business Office immediately. Failure to promptly turn funds over will result in disciplinary action.

1. The Business Office responsibilities:
   a. Designate employees responsible for the receipt, deposit, and recording of all student activities revenue.
   b. Designate employees to order, process, and pay bills for the student activities fund.
   c. Prepare monthly financial reports, review with related student sponsors and present to the Board at their monthly finance meetings.
2. The Activities/ Athletic Director responsibilities include:
   a. Organize volunteers to run concession stand or activities as per the student activities calendar.
   b. Check out the cash box from the business office prior to opening of activity.
   c. Return all cash and checks to the business office as soon as possible after the scheduled activity. The student sponsor retains responsibility for all cash until turned into the business office. A double count of cash shall be made by the Business Office Receptionist and the sponsor upon return of the cash box.
   d. Be responsible for reviewing student activity fund financial reports prepared by the business office and notify them of any errors at the Board's monthly budget meeting.
   e. Prepare the Athletic calendar for the school year.
   f. Orders all supplies needed for concession stands as well as supplies and materials for scheduled activities.

g. The sale of foods and beverages of minimal nutritional value shall be prohibited throughout the school grounds between the start of the school day and the end of the last lunch period.
h. Shall assume the duties of student activity sponsors in their absences.

3. Respective Administrator's Responsibilities:
   a. Be responsible for assignment of concession stands.
   b. Notify concessionaire of the applicable policies, procedures and fee/collection schedules.

5.43 CASH IN SCHOOL BUILDINGS

The American Horse School Board is not responsible for any personal lost or stolen cash, or checks. The individual will be responsible for all stop payment fees.

5.44 FINANCIAL ASSISTANCE

Any and all non-school related financial assistance and/or requests must be submitted to the School Board. All requests shall be in writing.

5.45 INTERNAL CONTROLS

American Horse School shall:

1. Establish and maintain effective internal control over all Federal awards that provides reasonable assurance that the school is managing the Federal award in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award. These internal controls should be in compliance with guidance in “Standards for Internal Control in the Federal Government” issued by the Comptroller General of the United States or the “Internal Control Integrated Framework”, issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).
2. Comply with the U.S. Constitution, Federal statutes, regulations, and the terms and conditions of the Federal awards.
3. Evaluate and monitor the school's compliance with statutes, regulations and the terms and conditions of Federal awards.
4. Take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings.
5. Take reasonable measures to safeguard protected personally identifiable information and other information the Federal awarding agency or pass-through entity designates as sensitive or the school considers sensitive consistent with applicable Federal, State, local, and tribal laws regarding privacy and responsibility over confidentiality.
6. Business Manager will prepare a payroll certification Sept 30 and March 30 for all employees to sign.
7. Business Manager is responsible for coordinating the completion of all BIE and funding agency reporting requirements.
8. The School will utilize the long password security protocol when establishing passwords for business office staff that access financial management software.

5.46 SUSPENSION AND DEBARMENT

When a non-federal entity enters into a covered transaction with an entity at a lower tier, the non-federal entity must verify that the entity, as defined in 2 CFR section 180.995 and agency adopting regulations, is not suspended or debarred or otherwise excluded from participating in the transaction. This verification may be accompanied by (1) checking the System of Award Management (SAM) Exclusions maintained by the General Services Administration (GSA) and available at SAM.gov. (Note: the OMB guidance at 2 CFR Part 180 and agency implementing regulations still refer to the SAM Exclusions as the Excluded Parties List System (EPLS)), (2) collecting a certification from the entity, or (3) adding a clause or condition to the covered transaction with the entity (2 CFR section 180.300).

For covered transactions determine whether the non-federal entity verified that entities are not suspended, debarred, or otherwise excluded.

SECTION 6-CURRICULUM AND INSTRUCTION

6.01 VISION

We will stand together to create a healthy learning environment so that our children at American Horse School have the opportunities to acquire a quality education and the leadership competencies for building a better future by achieving a level of greatness experienced by our people and carrying on our values that are uniquely, beautifully Lakota.

6.02 MISSION STATEMENT

American Horse School will stand together as a *Tiospaye* so that our children will receive, recognize and embrace education for the present and the future.

6.03 SCHOOL PHILOSOPHY

American Horse School believes that every child has an inherent right to Lifelong Learning. We believe that ALL children have the potential and ability to learn. In partnership with the community, we will facilitate the achievement of quality education and personal goals; while embracing and retaining Lakota Values.

The American Horse School and community have the following academic aspirations for their students:

- Goal #1: All children shall strive to read independently by the third grade.
- Goal #2: Students shall be proficient or advanced in Reading, Math and Science according to scoring using tests adopted by American Horse School.
- Goal #3: Individual student attendance shall be 90% or higher.
- Goal #4: Students shall demonstrate knowledge of their Lakota Culture and Language within their daily lives during the school day and apply Lakota Culture and Language in their homes and within their communities.
- Goal #5: There shall be an increased rate in enrollment, retention, and follow our student through high school completion.
- Goal #6: Parental and community engagement shall increase and continue to emphasize Lakota Culture and student academic success.
- Goal #7: Students shall feel safe and secure in their school environment.

STUDENT OUTCOMES:

American Horse School and community have the following cultural, social, and emotional aspirations for their students.

Student Outcome One — Lakota: to speak proficiently and practice "the Lakota way of life," the traditions, Wolakota, values, and have a knowledge base of Lakota history, treaties, and legends.

Student Outcome Two — Effective communicators and interpersonal relaters: write, speak, listen, and comprehend what they read; be respectful and civil; sociable and empathetic.

Student Outcome Three — Positive individuals: a strong sense of self-esteem; alcohol and drug free; have a sense of spirituality; can set and achieve personal goals through self-discipline and self-motivation; practice a healthy lifestyle through proper nutrition, exercise, and mental health; problem solvers through nonviolent acts; accepted, adapted, and dealt with the challenges of life using coping skills; have a vision of the future; make positive choices and responsible for those choices.
Student Outcome Four — Nurturing Family members: practice parenting skills and caring for children including family planning; respect parents and elders; provide for family needs; practice being good relatives; support education for all family members; promote a healthy and financially stable family life; foster a sense of belongingness and stability.
Student Outcome Five — Contributing Community Members: help keep community clean; know when to compromise; bring people together; commit to making community a safe place; validate diverse talents; model being good neighbors; volunteer; make positive career choices to better community.
Student Outcome six — Transforming tribal members: to lead humbly and compassionately for the people; follow the law and be ethical; strive for excellence**;** interact with various organizations and groups; act as ambassadors to the global community; take creative risks to improve the reservation economically; have a heightened social conscience to confront injustice.

6.04 INSTRUCTIONAL GOALS

Instructional goals shall be incorporated in curriculum guides as student exit outcomes determined by instructional teams and administration as an ongoing process for school improvement.

6.05 OGLALA LAKOTA LANGUAGE AND CULTURE

The Board recognizes the importance of maintaining the Oglala Lakota language and culture to ensure that all staff, students, and board members are given the opportunity to be exposed to and engage in Oglala Lakota language and culture.

6.06 CURRICULUM DEVELOPMENT

Teachers, Team Leaders, Administration, school improvement team, and Leadership Team will be organized by the Administrator as an ongoing process and will meet on a regular basis to investigate new curriculum ideas, develop improved programs, and evaluate the results. The Administration shall present its recommendations to the Board annually. The School Administration will ensure the curriculum is aligned and in accordance with tribal, federal, common core standards, and the standards of the accreditation agency.

6.07 CURRICULUM MAPS

Curriculum guides shall be designed to assist users in strengthening and clarifying teaching of subject matter, suggest a variety of possibilities for instruction, variations of approaches and materials to be used. All instructional staff are required to utilize and implement American Horse Schools approved curriculum.

Curriculum guides shall serve as a framework from which a teacher may develop units of study, individual lesson plans, and approaches to instruction to serve the students.

Sufficient latitude shall be permitted to provide the teacher with the time to teach current, topical and incidental material, which add to motivation and meaningful teaching and learning.

All curriculum developed will adhere to American Horse School standards which are in compliance with common core and state standards.

It shall be at the discretion of the Administration when teachers will submit their curriculum map.

6.08 BASIC INSTRUCTIONAL PROGRAM

A mastery of core content knowledge (Reading, Writing, Math, and Science) is vital to student success. To enhance the understanding for individual students to develop specific talents and interests in more specialized fields all teaching will include: Reading; Writing; Math; and Science across the curriculum.

6.09 HEALTH EDUCATION

The Board is committed to a sound comprehensive health education program as an integral part of each student's general education. Education programs shall emphasize a contemporary approach to the presentation of health information necessary for students to understand and appreciate the functioning and proper care of the human body, diabetes, including traditional Lakota holistic health education.

6.10 DRUG AND ALCOHOL EDUCATION PROGRAM

The Board believes that alcohol and drug abuse prevention require education, which will create an awareness of drug and alcohol abuse. Drug, alcohol and inhalant abuse education shall be included in the curriculum.

Should a parent request their child not participate in a given aspect of the program, an alternate educational assignment shall be arranged for the student by the respective Administrator.

6.11 SAFETY INSTRUCTION

The Safety Security Officer and Safety Committee are responsible for supervision of a safety program for their respective school. Practice of safety shall be considered an aspect of the instructional program and instruction in accident and fire prevention, emergency procedures, traffic, bicycle, and pedestrian safety may be provided.

6.12 GROUPING FOR INSTRUCTION

Grouping shall be conducted so as not to discriminate against students.

6.13 INSTRUCTIONAL MATERIALS

The Instructional Leadership Teams shall review and recommend instructional and library materials to the School Administration. The Administration and/or School Board will approve all instructional and library materials. Proposed instructional materials will:

Enrich and support the curriculum, taking into consideration the varied interests, abilities and maturity levels of students;

Stimulate growth in factual knowledge, literacy appreciation, aesthetic values and ethical standards;

Bring forth opposing sides of controversial issues so that young citizens may develop, under guidance the practice of analytical reading and thinking;

Represent the many religions, ethnic, and cultural groups, showing their contributions to the framework of America, with emphasis on the Native American culture, heritage and language.

6.14 TEXTBOOK SELECTION AND ADOPTION

The Administration shall meet annually and recommend a list of approved learning resources including textbooks for approval by the Board.

6.15 FIELD TRIPS AND EXCURSIONS

The Board recognizes that first-hand learning experiences provided by field trips are an effective and worthwhile means of learning. Fields trips and excursions should be directly linked to lesson plan and learning outcomes. Incentive trips for students must be proposed and approved by Administration and/or School Board.

6.16 COMMUNITY RESOURCE PERSONS

The Board recognizes the need to use community resource people to enhance student learning. All requests for resource persons must be cleared with the Administration.

6.17 SCHOOL VOLUNTEERS

The Board endorses a Volunteer Program subject to appropriate regulations and safeguards. Volunteers shall be trained in School policy. All school volunteers must be approved by School Board, shall submit to a drug test and a state, tribal, and federal background check prior to providing any service at school.

6.18 GUIDANCE PROGRAM

Guidance/Counseling services shall be available to every student and include psychological services, guidance services, testing services and in-service programs in guidance and psychological areas.

Guidance/Counseling personnel will use varied delivery systems consisting of small group sessions, individual counseling, structured training sessions, and other processes. Students and parents are encouraged to utilize the help of guidance personnel. Guidance/Counseling personnel will coordinate and execute the school wide academic testing programs. Guidance/Counseling personnel will assist in developing, gathering and disseminating effective learning activities to instructional personnel as resource material for incorporating learning activities designed to enhance the total development of students.

6.19 HOMEWORK

The type, frequency and quantity of homework should be assigned according to curricula that are aligned with the current applicable standards.

6.20 TESTING PROGRAMS

The objective of the testing program is to enable school personnel to do a more effective job in planning for and educating the students of American Horse School and shall be coordinated by the Test Coordinator and directed through the Administration.

The school will provide psychological services and testing of students as well as standardized testing. This may include: BIE Unified Assessment, the Northwest Evaluation Association (NWEA) Measures of Academic Progress (MAPS) assessment, and other appropriate measures of assessment which shall comply with Bureau of Indian Education (BIE) and accrediting agency requirements.

6.21 ASSESSMENT OF INSTRUCTIONAL PROGRAMS

Professional accountability for student performance and progress is a shared responsibility of teachers, administrators, and the Board. Individual progress and instructional efforts shall be systematically assessed.

The purpose of Assessment of instruction shall be:

- To indicate and utilize instructional strengths and weaknesses;
- To provide information needed for advance planning;
- To provide data for public information;
- To utilize student data to drive instruction;
- To demonstrate relationship between academic learning outcomes and stakeholder goals and expectations;
- To ensure curriculum aligns with required learning standards;
- To provide comprehensive school wide measurement process based upon common core standards and essential state standards;
- The professional staff and Board shall provide continuous Assessment of the educational program and instructional processes. A final report shall be approved by the Board.

6.22 TEACHING METHODS

The Board requires the best research and scientifically based teaching strategies to be used to bring about learning at the school. Instructional staff shall keep abreast of innovative, scientifically based research instructional methods, ideas and practices developed in the school system throughout the nation and apply those, which have proven to be successful at increasing student achievement.

6.23 TEACHING CONTROVERSIAL ISSUES

Free inquiry in a democratic society requires controversial issues arising in the classroom be handled as a regular aspect of instruction and learning in such a way as to not inhibit dignity, personality, or intellectual integrity of either the teacher or the student. Controversial issues provide stimulation to learning by creating intellectual excitement and are thus an important part of the classroom environment. Controversial issues shall be presented in a fair and unbiased manner and teachers should consult with the Administrator when planning to discuss controversial issues with students.

6.24 CONTROVERSIAL SPEAKERS

When correctly handled, the use of controversial speakers becomes an invaluable component in accomplishing goals of citizenship education. However, a serious responsibility is placed on professional staff members to correctly structure learning situations involving a speaker.

All speakers must be invited through the Administration and/or Board, who shall endeavor to engage speakers for both sides of the issues. Any speaker who advocates unconstitutional or illegal acts or procedures shall not be permitted to address students.

6.25 LESSON PLANS

All instructional staff are required to prepare lesson plans and utilize the program and process designated by Administration. Teachers will provide the respective Administration with access to their weekly lesson plans before the week they will be implemented. The respective Administrator or their designee shall monitor teacher lesson plans to ensure the daily instructional objectives are referenced to the basic curriculum content, objective and competency, and designated content standards.

6.26 GIFTED AND TALENTED EDUCATION

American Horse School shall provide Gifted and Talented Education (GATE) programs to students in grades Kindergarten through Eighth. Enrichment opportunities will be designed to address the specific areas of giftedness and/or enhance their talents in one of five categories:

Intellectual Ability
Creative/Divergent Thinking
Academic Aptitude/ Achievement
Leadership

Visual/Performing Arts.

The GATE program will ensure holistic development of each student through cultural, social, physical, and intellectual/academic experiences that will provide identified students with opportunities to become self-actualized, self-motivated leaders, life-long learners, community contributors, and producers of ideas and products. Opportunities are provided before, during, and after school hours, as well as, within a regular education classroom.

GATE student records are secured and located in the GATE office and will comply with the proper protocols to access.

The GATE Teacher will partner with parents/guardians and school faculty throughout the entire process to assure success of individual student achievement in their area of gifts and talents.

Qualifying Process:

Step 1: Students are nominated by teachers and staff, and testing coordinator.

Step 2: GATE staff will contact parent/guardian to request consent to assess, evaluate, and participate.

Step 3: A team will host a meeting to agree upon justification for placement in the program and identify the qualifying category.

STEP 4: An GATE Individualized Education Plan is written for the student at which time goal(s) are determined with objectives that help the student achieve their goal(s) and enhance their particular area of gifts and talents. GATE IEP's shall have three concurring signatures, that of a teacher, GATE Teacher, and Administrator.

STEP 5: Once the GATE IEP is in place, with all required information and proper signatures, students receive services. Service providers and teachers document dates of services including type(s) of activities and services rendered. Assessment may occur annually or tri-annually (as required per category identified).

Qualifying Categories & Assessments:

Category (A) Intellectual Ability; to qualify a student must score 95% or higher on NWEA/MAPS, BIE Unified Assessment, Woodcock Johnson IV, SAGES (Screening Assessment for Gifted Elementary Students) or other standardized achievement tests. Assessment occurs every 3 years.

Category (B) Creative/Divergent Thinking; to qualify a student must score 95% or higher on the Woodcock Johnson IV, NWEA/MAPS, SAGES, or other standardized assessment. Assessment occurs every 3 years.

Category (C) Academic Aptitude/Achievement; to qualify a student must score 85% or higher on Smarter Balanced, NWEA/MAPS, WIAT, SAGES, or other standardized achievement tests. Assessment occurs every 3 years.

Category (D) Leadership; to qualify a student is evaluated every year by teacher/faculty member using the GATES-2 Assessment or a Leadership Inventory checklist.

Category (E) Visual & Performing Arts; To qualify a student is evaluated every year by teacher/faculty member using the GATES-2 Assessment, Visual/Performing Arts Inventory checklist, or being judged by an expert in the field.

Ref. 25 C.F.R

6.27 TEACHER RECORDS

Teachers shall be required to accumulate and report information on students for which learning activities are provided inclusive of:

1. Name and age of the student,
2. Daily attendance of each student,
3. Cumulative Folders (K-8):
   A. Mid-quarter and quarter grade(s) (K-8);
   B. Advancement/retention reports, (K-8);
   C. Mid-term progress reports as required by Administration;
   D. Promotional Summary (K-8);
   E. Social development (K-8);
   F. Maintain student portfolios;
   G. Examples of student work;
   H. Attendance and Assessment scores;
   I. Most recent report card;
   J. Signed policy forms,

SECTION 7-SCHOOL OPERATIONS

7.01 GOALS AND OBJECTIVES-SCHOOL OPERATIONS

The Board shall provide processes, structures and resources to ensure staff, students and community members access to safe, sanitary and adequate buildings and grounds through procedures designed:

- To provide access to facilities that are meeting safety, special and environmental needs to enhance learning and working conditions.
- To provide community access to facility and ground areas to promote community involvement.
- To provide timely and thorough inspection of facilities, vehicles and other resources to ensure safe service.
- To develop time schedules and structures to provide services to students with the least amount of interruption to education.
- To provide structures to evaluate and upgrade facility use areas and equipment to meet student needs.
- To provide management systems to determine program needs and resources available at the school.
- To provide for Assessment and reporting of information to the public to keep them advised of programs, accomplishments, needs and other items.
- To implement policies and processes designed for cost effective business management at the school.
- To develop and maintain inventory listings for property, vehicles, equipment, buildings and grounds.

Business operations are essential yet auxiliary to the school's central function of education. The Board serves as trustee of school facilities and supervisor of school business operation for the purpose of providing the facilities and services to support the educational program. In the operation and maintenance of the school plant, equipment and services, the school shall:

- Maintain high standards of safety,
- Promote staff and student health,
- Reflect community aspirations; and,
- Support efforts to provide quality instruction.

7.02 BUILDINGS AND GROUNDS MANAGEMENT

The Board shall maintain school property in good physical condition. The Facilities Manager shall be responsible for the care, custody and safekeeping of all school property and shall establish procedures and employ such means as may be necessary to discharge this duty. The Facilities Manager and Administration are responsible for the care of school property used by their staff and students.

Facilities Manager and Administration are responsible for notifying the proper authorities or employees of building and operational needs, including the defacing or destruction of school

property that needs cleaning or repair. Facilities Manager and Administration shall perform an inspection of school buildings and property during the school year, and shall submit a checklist to the Board of property needing repair or replacement by first regular school board meeting in June.

The Facilities Manager shall develop and submit a plan for approval for the overall management school facilities to the Board by first regular school board meeting in September.

7.03 QUARTERS ASSIGNMENT

The Housing Committee has the authority to assign employees to quarters. Rent will be deducted on a weekly basis from the salary check of employees leasing school quarters. The Housing Committee may be comprised of the following AHS employees: Safety and Security Officer, Administrator, Business Manager/Human Resources Personnel, and Facilities Manager. Tenants are required to complete a Housing Lease Agreement annually. The Facilities Manager is responsible for inspecting quarters to ensure Tenant compliance with this Housing Policy. Failure to comply with this Housing Policy shall result in termination of the Housing Lease Agreement.

Quarters are reserved for certified personnel and other positions recommended by the American Horse School Board. Temporary assignment of quarters by the Housing Committee is for the school year only or as otherwise specified. Housing shall be assigned only to AHS employees.

The following criteria shall be followed in assigning quarters:

A Housing Lease Agreement shall be completed annually. Quarters shall be assigned only to AHS employees on the basis of the number of dependents for which bedrooms are required. Larger houses shall be assigned to larger families. To the greatest extent possible, units will be assigned based on the household size as set forth in the Household Occupancy Form. American Horse School reserves the right to transfer tenants in the event that AHS determines that a different unit size is necessary to accommodate a change in household membership when a more suitable unit is available, or to meet its needs for certified staffing. All tenants may be transferred upon ten (10) days written notice of transfer to accommodate staff housing needs. AHS shall, to the greatest extent feasible, assign units based on the following guidelines:

Number of Bedrooms	Number of Persons
1	1-2
2	1-3
3	3-6

Factors to be considered include age and sex of children, potential changes in family composition, and availability of unit sizes. Children of the same sex under the age of 10 may be assigned to the same bedroom. Cohabitating or married adults shall qualify for 1 bedroom. A two-person family comprised of one adult and one child shall qualify for a two-bedroom unit.

Married employees without children shall be assigned to suitable efficiency apartments before being assigned to multi-bedroom units.

Local area is defined as all lands within the boundaries of the Pine Ridge Reservation.

Household Occupancy Form Required. Prior to occupancy of a dwelling unit, Tenants must provide a list of authorized individuals that will occupy the quarters. Any new occupants or any other changes must be reported to the Administrator. Tenants will include their pets and the name of the pet. Any changes to the Household Composition require the pre-approval by the Housing Committee. Tenant agrees to notify the AHS Administrator of any changes in Household Occupancy by filing an amended Household Occupancy Form, and shall not permit any additional persons to occupy the unit if notified in writing that such additions to Household Composition has been disapproved by the AHS Housing Committee. AHS reserves the right to terminate the Lease Agreement if additional occupants would render the dwelling overcrowded, or if Tenant permits additional occupants without the approval of AHS Housing Committee. Household Occupancy Forms shall be used to determine the size of the unit assigned to school employees.

Any prior lease violation, termination, or an action for eviction from AHS Housing will result in ineligibility for future housing.

Certain Persons Ineligible. No person convicted of, or who has plead no contest or guilty to a violent crime, any crime against a minor child, a drug-related crime, or any person who is required to register as a sex offender, under any tribal, state, or federal law, to occupy the dwelling unit. Violent crimes include any crime which has as an element of the offense the use or threatened use of physical force upon another person. Drug-related crimes include the illegal use, possession of, distribution, or manufacture of any controlled substance or the illegal distribution of alcoholic beverages under any tribal, state or federal law.

Persons not listed on the lease agreement are not permitted to stay for more than seven (7) consecutive days. Lessee may be charged an additional fee of one hundred dollars ($100) per month for violations of this requirement.

Tenant Rights and Obligations: Tenants of American Horse School quarters may expect the same courtesies as are ordinarily extended by any landlord. The Board expects Tenants to exercise reasonable care in the use of the quarters as is ordinarily expected of any Tenant.

Inspection: An inspection of the quarters shall be made by the Facilities Manager, the Custodial Supervisor, and the Tenant prior to and at the termination of the tenant's occupancy, and annually on or before June 30th of each year. An inspection report will be filed at the AHS Business Office and Facilities Manager's Office with a copy furnished to the tenant at the time of occupancy. Twenty-four (24) hours' notice of inspection shall be posted on the housing unit in a conspicuous place. The Tenant does not need to be present for inspections, but may be present.

Tenant agrees to allow AHS or its agents to enter the dwelling upon reasonable advance notice in

order to inspect the premises, to exterminate for pests, to make repairs or to show the premises to prospective Tenants. The Tenant will not be unreasonable in denying entry.

AHS staff may complete inspections of school housing on a quarterly basis.

AHS or its agents may also enter the premises without prior consent if it appears to have been abandoned by the Tenant or in case of emergency, and as otherwise permitted by law or court order. If the unit appears abandoned, AHS or its agents shall post a notice of Abandonment on the front door of the unit and attempt delivery of Notice of abandonment at the last known mailing address of the Tenant. If the Tenant has not contacted the AHS or its agents within five (5) business days of the posting of Notice of Abandonment, AHS or its agents shall change the locks on the unit and otherwise secure the unit from vandalism, and shall store Tenants possessions for thirty (30) days and charge Tenant the amount of $50.00 per day for such storage. After thirty (30) days, such property as is not claimed by Tenant shall be deemed abandoned and disposed of. Tenant hereby consents to such disposal by the AHS or its agents.

Failure to authorize inspection shall be grounds for lease termination. Tenant agrees to allow AHS or its agents to enter the dwelling upon reasonable advance notice in order to inspect the premises, to exterminate for pests, to make repairs or to show the premises to prospective Tenants. The Tenant will not be unreasonable in denying entry.

Deposit: A one-time security deposit of two hundred dollars ($200.00) shall be paid by the Tenant to AHS prior to moving in to the Unit. The deposit will be returned to the Tenant when the Tenant has vacated the unit if there is no damage to the Unit other than normal wear, and all rents due and maintenance charges are paid. If there is damage, rent or other charges due, AHS will notify the tenant in writing of the amount being withheld from the security deposit. Replacing lost keys will cost the Tenant $75.00 per key set and per instance.

Damage: Damage to school property or equipment shall be reported promptly. Tenants are responsible for damage caused by negligence or misuse and shall promptly reimburse the school in the amount determined by the AHS School Board. AHS reserves the right to retain any funds in the possession of AHS, or to file a claim in a court of competent jurisdiction, to recover for damages to AHS property by a Tenant.

Tenants will be assessed and are expected to promptly reimburse the school for the rehabilitation or repair of the quarters or equipment for damages noted during maintenance or safety inspections or "check-out" inspections when vacating the quarters. Such damages shall include deterioration beyond normal wear caused by misuse or negligence in the care and use of the quarters or equipment.

Tenants leaving the quarters unoccupied for an extended period of time shall arrange to have the quarters checked to insure proper functioning of the heating systems, hot water heater, etc. Any maintenance or repair cost arising from neglect during unoccupied periods shall be assessed to the Tenant. Tenants shall be billed for repairs due to negligence through payroll deduction. Failure on the part of the Tenant to keep a proper fuel supply in the tank or

payment of utility bills constitutes negligence. The fuel tank shall be filled by the Tenant before a final salary report is made.

Rent: Rent shall be charged according to the AHS Housing Rate, which shall be reviewed and approved by the AHS Board, prior to the issue of the Housing Lease Agreements. A $25.00 fee per month/per pet may be added to the rental costs.

Subletting: Subletting or subleasing of any portion of the quarters assigned to the Tenant shall not be permitted. Exchange of money is not required to constitute subletting/subleasing.

Business: Conducting a business enterprise of any kind in the quarters is not permitted, with the exception of those ventures which may occur periodically, and which have a duration of only a few hours, including, but not limited to, the following: food sales, rummage sales, lawn mowing, snow removal, babysitting services.

Maintenance: Maintenance shall be performed in accordance with any applicable guides and regulations. Tenant shall not permit nor cause any holes in the roof, exterior or interior walls, or floors of the dwelling unit, nor attach any satellite or other object to the dwelling unit without the express written permission of the Facilities Manager. The tenant shall be responsible for reporting any need for maintenance of a unit to the Facilities Manager immediately.

Tenant owned and used appliances including extension cords shall be U.L. approved types and shall be maintained in such condition that they will not present hazards. Tenants should take care not to overload electrical circuits.

No materials or goods shall be stored within two feet of furnaces, water heaters, and chimneys or smoke pipes. Continual violation shall be subject to a fine that is in accordance with the corresponding violation recommended by the Housing Committee and approved by the School Board or lease termination.

Tenants shall not allow debris to accumulate in or around quarters and shall keep their quarters free of hazards, which would cause fires or injuries. Noncompliance shall be grounds for a fine that is in accordance with the corresponding violation recommended by the Housing Committee and approved by the School Board or lease termination.

Maintenance Procedures: The following procedure shall be followed for minor repairs to quarters.

Requests for routine repairs or maintenance work shall be written by the requesting Tenant on the Work Order Form and a copy retained in the Facilities Office.

Tenants dissatisfied with the non-completion of work requests may file a Grievance with the School Administrator within five business days of the incident giving rise to the Grievance. The Housing Committee shall issue a written decision on the Grievance within five (5) days of receiving the Grievance. The tenant may file an appeal of the Housing Committee's decision within five business days with the School Board Secretary in writing listing the reasons for the

appeal. The AHS Board may hold a hearing with the tenant or decide the matter based on the written grievance and the Housing Committee's written decision and record in its sole discretion. Failure to timely file a grievance or an appeal will result in dismissal of the grievance or appeal without further action by the school.

A work order request must be submitted to the Facilities Manager prior to the facilities staff implementing any repairs. Tenants will be notified as to whom the designated-on call personnel is in the case of an emergency.

If repairs are needed as a result of negligence, the Facilities Manager shall report the information to the Administrator immediately. The cost of such repairs may be assessed to the individual. Tenants cannot make their own repairs or hire anyone to make repairs.

Alterations: Structural, mechanical, or electrical alterations of any kind are not permitted.

Parking: Any Tenant vehicles shall be parked in such a manner not to inconvenience Tenants in other quarters. Parking on lawns is prohibited.

Automobiles: Automobiles parked at the residence must be able to move under their own power, or the AHS Facilities Manager shall have the right to remove the vehicle at the expense of the Tenant.

Pets and Livestock: Pets are subject to OST animal control ordinance and the Oglala Sioux Tribe Braden's Law. There shall be no more than two (2) pets per housing unit. All pets must be approved in advance by the AHS and all dogs must be fully vaccinated against Rabies and DTTP and all cats must be fully vaccinated against Rabies. Exotic animals of any kind are strictly prohibited in any of the housing or apartment units. All dogs outside of their yard shall be required to wear a leash. Tenants with a pet must provide proof of vaccination to the Facilities Manager. Any animal that bites or attempts to bite any person may be removed from the premises by OST Animal Control or OST Law Enforcement, or upon order of the AHS Administrator/Facilities Manager to remove the animal. In addition, should any animal be found roaming at large on campus or in Tenant housing the following action will take place by the Facility Manager or their designee in accordance with the following procedures:

Documented notice will be given to the owner of the animal with warning of further steps to be taken.

Pet owners are responsible for providing adequate controls on their individual pets. Any unreasonable and/or excessive noises from pets must be remedied by the owner.

Pet owning tenants are responsible for cleaning up after their pets. This includes both indoor and outdoor areas within school grounds.

Documented second notice will be given to the owner with the understanding and consent that further violations of policy will result in the animal being removed from the American Horse School property.

The American Horse School Security Officer and/or Facilities Manager will be contacted to remove the animal from the American Horse School property. A $25.00 fee will be charged to the Tenant if any AHS personnel is required to remove the pet.

Continued violations of the pet policy shall be grounds for removal from the American Horse School property.

All efforts will be made to properly identify the owners of any pets before any action is taken, therefore, it is important for pet owners to have identification collars on their pets at all times.

No livestock shall be allowed on the AHS campus.

Loss or Damage to Personal Property: The AHS Board is not responsible for loss or damage to personal property of the Tenant for any reason. It shall be the responsibility of each Tenant to properly insure their property against such loss.

Conduct: Tenants, family, and guests of Tenants are expected to conduct themselves in an orderly and respectful manner. Conduct by the Tenant, household members, or guests at the unit that disturbs the right to peaceful enjoyment of the premises by AHS employees, or other residents, or the community shall be grounds for lease termination and the Tenant must vacate the premises. Any criminal activity, illegal drug use, or violation of OST laws governing alcohol use on the property by the Tenant, a household member, or a guest, shall result in termination of the Lease Agreement.

If annual notification discussed in 7.03 (a) is not complied with, the lease may be terminated.

Distribution: A copy of this Policy shall be permanently displayed in the Business Office and in the Facility Managers Office and attached to each Housing Lease Agreement when initially issued to a Tenant and accessible on the AHS website: americanhorsechiefs.org

Minutes of Meetings: Written minutes of each meeting of the Housing Committee shall be maintained for future reference when it pertains to quarters.

Assignment Termination or Unforeseen Circumstances: Termination of assignment and vacating of quarters shall correspond with the time of transfer, separation, unforeseen circumstances, etc. Inspection of quarters will be made at that time to determine the condition of the quarters and to assure all American Horse School owned equipment is on the premises. Employees will be given two weeks' notice to vacate school housing upon termination. Any property left in the unit after the Tenant vacates the quarters becomes the property of AHS after 30 days.

No Alcohol, Drugs or Inhalants: No alcohol, drugs or inhalants shall be allowed to be used, sold, or possessed by any Tenants, household members, or guests on the AHS premises. Any drug or alcohol violations are grounds for immediate lease termination and the Tenant must vacate the Unit. A conviction of any of the following: the selling, distribution, possession,

manufacture or use of alcohol or illegal drugs is prohibited by any Tenant who resides in a Unit. Any such conviction will result in the immediate termination of the Housing Lease Agreement and the Tenant must vacate the premises. Reported incidences of such activity will be turned over to the Oglala Sioux Tribe Public Safety Commission and/or the AHS Housing Committee. The incident report shall be submitted to the Administrator's office to maintain a record of the incident and placed in the tenant's personnel file.

Lease Termination Procedures: Violation of the Housing Lease Agreement, the AHS housing policies and procedures, or a violation of tribal or federal law, shall constitute grounds for termination of the Lease Agreement. AHS will issue a written notice of lease termination and notice to quit possession, and the Tenant must vacate the premises. If necessary, the AHS Board may pursue an action for eviction from the Unit pursuant to the Oglala Sioux Tribal Landlord Tenant Code through the Oglala Sioux Tribal Court.

Unless earlier terminated by issuance of a Notice to Quit Possession and Notice of Lease Termination by AHS, or automatically terminated without further notice on the last day of tenant's employment with AHS, or upon abandonment of the unit by the Tenant and posting of notice of abandonment by AHS for five (5) days and no response by the tenant, resulting in automatic lease termination.

The tenant may file a written Notice of Intent to Vacate the Unit with AHS Board and request a different date for vacating the unit. The School Board has sole authority to approve or disapprove of tenant Notice of Intent to Vacate the Unit.

Any violation of these policies, tribal or federal law, or the Lease Agreement shall be sufficient grounds for Lease Termination, the American Horse School Board may give the Tenant one (1) warning with probationary conditions prior to demanding the Tenant to vacate the premises. Not more than one (1) warning shall be allowed before terminating the Lease Agreement.

Any Lease Termination issued by the Housing Committee may be appealed to the AHS School Board by filing written notice of appeal within three (3) business days of issuance of the Lease Termination in writing listing the basis for the appeal of the termination.

Trespassing: The School Board may remove any persons or occupants from school housing units immediately.

Smoking: Smoking within apartments, houses, and trailers is prohibited.

Firearms: Firearms of any kind shall not be displayed or carried outside of houses unless they are in cases or other containers for transport from house or vehicles.

7.04 SAFETY PROGRAM

The Board shall make every effort to prevent accidents by taking all reasonable precautions protecting the safety of those present on school property. The Board shall comply with all Civil Defense Regulations and the School's Continuity-Of-Operations Plan (COOP).

The Facilities Manager and the Safety/Security Officer shall have responsibility for the safety program and see that appropriate staff will be kept informed of state and local requirements relating to fire prevention, civil defense, sanitation, public health and occupational safety. The staff shall adhere to recommended safety practices as they pertain to the school.

A Safety Committee consisting of school personnel shall be presented to the Board for approval prior to the start of the school year. The Safety Committee members should be representatives from each department. The Safety Committee will review and update the School's Continuity-Of-Operations Plan (COOP). The School Administration will present the updated School's Continuity-Of-Operations Plan (COOP) to the Board for review and approval.

7.05 FIRE PREVENTION

Fire prevention measures in the school shall be in compliance with appropriate Safety Code(s) and directives of an appropriate Fire Marshall in cooperation with the Bureau of Indian Affairs (BIA).

Fire prevention shall reflect the top priority the school gives the welfare of students and staff.

The Facility Manager and the Safety/Security Officer are responsible for compliance with school fire prevention measures.

7.06 EMERGENCY DRILLS

The Safety and Security Officer or their designee shall:

- Develop a plan for building evacuation in case of emergency.
- Conduct emergency drills and report evacuation time lines to proper authorities.
- Post emergency exit directions in all school buildings.
- Failure of staff to participate in emergency drills shall result in personnel action for insubordination. Activation of fire alarms without approval or need will result in immediate disciplinary action against the perpetrator, up to and including expulsion.

7.07 BOMB THREATS, TORNADO PLAN, FIRE PLAN, LOCK DOWNS, AND CRITICAL INCIDENTS PROCEDURES

All School personnel shall cooperate fully with Safety and Security Officer in planning and implementing procedures for dealing with bomb threats, lockdowns and critical incidents. All School personnel shall be given instructions regarding their responsibility in the event of such a situation. One copy of all of these plans and procedures will be posted in each classroom, office and provided to substitute teachers during substitute orientation.

Sessions shall be held during personnel pre-service, prior to the beginning of the school year. A Safety Committee consisting of school personnel shall be presented to the Board for approval prior to the start of the school year. The Safety Committee members should be representatives from each department.

Ref: An Updated Continuity-Of-Operations Plan (COOP) master copy is on file in the Administrator's office.

7.08 TRAFFIC AND PARKING CONTROLS

The Facilities Manager and Administrators shall work with appropriate agencies in an effort to provide the safest coverage for students leaving and entering school grounds and marking speed zone areas on School grounds. The Safety and Security Officer shall develop rules and regulations for parking and traffic control on school property.

7.09 SAFETY INSPECTIONS

The Facilities Manager and/or Safety Security Officer with the prior written approval of the Administrator shall:

- Acquire or approve of inspections by licensed off-site inspectors for their services;
- Develop, monitor and implement safety inspection procedures for all school areas and services;
- Develop and conduct inspections of all heating, emergency and other systems of the school; and,
- Implement inspection activities on a regularly scheduled basis.
- The Facilities Manager and Safety and Security Officer shall provide for the ongoing inspection of instructional and support service work stations to ensure health and safety requirements legislated by tribal, state and federal agencies.

7.10 SECURITY

The Facilities Manager and Safety/Security Officer shall develop security procedures for Board approval to include daytime/nighttime security for:

- Provision for door locks;
- Minimizing fire hazards;
- Reducing possibility of faulty equipment (routine checks on AHS equipment);
- Protection against and reporting of vandalism and burglary;
- Oversee security of buildings and school housing on campus;
- Security equipment;
- Personnel certification or training/certification;

The Facilities Manager and/or their Designee will be responsible for the assignment of school keys to employees. Employee will be responsible for the keys issued to them and shall not make copies of the key(s). If an employee loses school keys, the employee will be responsible for the cost of replacing the keys.

All individuals that seek to enter the AHS facility are required to utilize the designated main entrance so that staff may complete required safety protocols upon entrants

7.11 VANDALISM PROTECTION

The Board approves the Administrator to authorize and sign criminal complaints and to press charges against perpetrators of vandalism against school property and to delegate authority to sign such complaints and to press charges. The Safety/Security Officer will be designated to follow up on any criminal complaints that have been filed on behalf of the School.

7.12 HEATING AND LIGHTING

The Facilities Manager or their Designee shall be responsible for making certain that heating and lighting to include proper Exit signs for all areas are maintained at proper levels and conduct periodic inspections of all areas to make certain that levels meet environmental and school learning needs.

Propane and heating fuel tanks shall not be filled without prior authorization of the Facilities Manager and the Business Manager.

7.13 CLEANING PROGRAM

The custodial supervisor shall develop and implement a cleaning program for the school buildings and shall submit regular reports to the Board. The custodial supervisor shall conduct periodic inspections of these areas as part of the performance assessment criteria.

The custodial supervisor shall develop a cleaning schedule for the AHS facility. A copy of the cleaning schedules shall be provided to the Administrator and Business Office. These cleaning schedules shall also be posted so the custodial personnel can see these schedules.

Custodial personnel shall be given schedules and locations of cleaning responsibility. Employees are to contact the custodial supervisor immediately if scheduled cleaning of facilities does not take place.

The Facilities Manager shall develop and implement a cleaning program for the outdoor campus areas and shall submit regular reports to the Board.

7.14 SANITATION

The Administrator and Facilities Manager shall ensure that all facility and grounds areas of the school meet sanitation requirements, and require supervisory personnel to make certain that promotion and maintenance of sanitary conditions in all areas under their supervision are met. Inspection of sanitation conditions shall be conducted daily with responsibility for sanitation provided by the Facilities Manager.

7.15 REPAIRS AND ALTERATIONS

Facilities Manager are responsible for consulting with the Administrator concerning needs for any repairs to building or campus areas. The Facilities Manager and Administrators shall

complete facilities review annually, documenting major repair needs. The checklist submitted by the Facilities Manager shall be relied upon in the annual facilities review.

The following procedure shall be followed for minor repairs to school buildings, grounds and quarters:

- Employees are not authorized to make alterations or repairs to any equipment, facility or other school property without the expressed written consent of the Maintenance, Administrator and with School Board approval.
- The Facilities Manager shall be responsible for the operation and maintenance of all school buildings and supervising maintenance staff as they carry out normal maintenance duties.
- The facilities Manager shall supply a list of major repairs needed on a yearly basis for submission to the School Board.
- The Facilities Manager shall set up procedures for handling minor repairs (repairs less than $2,500) expeditiously through the following:
    - Requests for routine repair or maintenance work shall be written in a Work Request Form and given to appropriate personal.
    - If work is not done in a reasonable amount of time, a second request should be filed long with a request for the reason why it was not done.
    - If work is still not done, the Administrator shall be contracted.
    - In cases of emergency needs, contact the Facilities Manager directly and notify the Administrator.
    - In the event that repairs are needed as a result of employee negligence, the Facilities Manager shall report the information to the School board immediately. Cost for such repairs may be assessed against the employee.

7.16 EMERGENCY REPAIRS

Need for emergency repairs shall be reported to the Administrator by the Facilities Manager. The Facilities Manager, in coordination with the Administrator, will contact the BIA Facilities officials and submit an emergency request for funds through the facilities management system (currently Maximo). The Administrator will present the emergency funding requests to the Board who will then determine the process of expending funds for emergency repairs.

7.17 FACILITY USE

The Board is authorized to rent to individuals or organizations requesting the use of school facilities with such privileges contingent upon completion of facility use agreement criteria. The cost of renting school facilities shall be in accordance with the School Board policy.

Activities sponsored by student and school groups have preference over outside use of facilities. The AHS School Board may re-prioritize use of facilities in the event of an emergency or specific community requests (i.e. funerals and/or wakes).

The School Board shall authorize and schedule the use of facilities use through an approval on a Facility Use Agreement.

The School is only able to accommodate requests to use school facilities for wakes and funerals, if the wake and funeral services can begin on Friday afternoons. The school facilities may not be available to accommodate wakes and funerals during time period when repairs/maintenance are in progress or have been scheduled

A $200.00, rental fee shall be required for any use of the gymnasium or common area. A contract must be signed by the designated renter. Rental fee must be paid to guarantee the availability of the rented area.

Release of any liability of the Board by individuals or organizations utilizing school facilities.

Individual(s) or organizations will be charged for any damages incurred during rental use period.

Individuals or organizations are responsible for cleanup during and after the activity. Failure to cleanup may result in additional chargers, loss of future facilities use privileges, and loss of rental fees.

The Facilities Manager or designee shall be responsible for completion and monitoring of facility use agreements to assure proper coordination of facility use and scheduling needs of school sponsored activities in their respective facilities.

The eighth-grade class (or any other School organization) will not be required to submit a rental fee facilities or equipment during activities, but the adult sponsors of the activity must ensure that the facilities and/or equipment cleaned and accounted for before leaving.

7.18 POSTAL SERVICE

The following shall govern incoming and outgoing mail service:

- Use of school postage meter for personal mail is prohibited.
- Outgoing mail should be taken to the Business Office.
- Business Office personnel are responsible for pick-up and delivery to Allen Post Office.
- The Front Office personnel shall be responsible for sorting mail for school staff.

All incoming and outgoing mail shall be for school purposes only. Employees and others shall not utilize the American Horse School mail for personal purposes, and particularly for any illicit, unlawful or immoral purposes. Such usage, if discovered, shall subject the sender or recipient to immediate termination.

7.19 RECEIVING

The Business Office is authorized to receive postal mail. The Supply Clerk is responsible for receiving packages and goods, recording invoices, and the inventory and proper disbursement of items.

7.20 SUPPLY DISTRIBUTION

Items are to be distributed as they are received. AHS School designated staff are responsible for monitoring the distribution of supply items to school personnel. Employees are not to hoard supplies.

7.22 EQUIPMENT MAINTENANCE

The employee to whom equipment is assigned shall be responsible for reporting any issues to their supervisor.

7.23 EQUIPMENT AND SUPPLY RECORDS

Inventory procedures for equipment and supply items shall be as prescribed in Fiscal Management Section.

7.24 AUTHORIZED USE OF EQUIPMENT

Employee use of equipment or supplies for personal reasons is prohibited unless authorized by supervisor. Unauthorized use of equipment and supplies shall result in disciplinary action.

7.25 TELEPHONE USE

Telephone use is for school business only. No (900) or other such calls may be made from school phones. Employee use of school telephones or their own cell phones during school hours for personal calls may result in disciplinary action. Students and staff are authorized to make outgoing emergency calls on school telephones but will not be called to receive incoming calls unless in an emergency or as authorized by the Supervisor.

School issued cell phones shall be issued at the authorization of the Administrator for work related purpose(s). Any added/downloaded applications, ringtones, etc. are not permitted on the school issued cell phones unless related to school purposes.

7.26 SCHOOL COPYING AND PRINTING

Office copy machines are to be used for school business unless otherwise authorized by the supervisor to whom the machine has been assigned.

7.27 STUDENT TRANSPORTATION MANAGEMENT

The transportation program shall be designed to transport students to school in a safe efficient manner and to provide transportation for academic field trips in direct support of the curriculum, extra-curricular program needs, and other support uses for students.

Students shall be returned to their home following school activities and transportation employees delivering students are required to make certain that the student is able to gain entry into their home prior to leaving the student.

Teachers shall escort their class to bus loading zones daily to make certain they board the bus safely.

Office staff shall notify parents/guardians via NASIS outreach system, social media, email, KILI Radio, to inform parents of early school closures due to inclement weather or other reasons.

The student is to be returned to school and other alternatives implemented if a parents/guardian is not home.

7.28 TRANSPORTATION GUIDELINES

The Transportation Manager is responsible for all school vehicles used, for student transportation and the operation of the Transportation Department and shall conduct continual program assessments. The overall transportation program shall be monitored by the Transportation Manager on a daily basis.

Routine maintenance procedures shall be developed to keep the property in good condition to ensure longevity of property and transportation vehicles. Preventative and all other maintenance will be conducted. Written records/documentation of any routine maintenance conducted will be kept in a log.

Criteria for management of school transportation services shall be:

- Adequacy: to provide necessary sufficient transportation to and from school and for school programs.
- Safety: to account for hazards, potential dangers to students, and other appropriate safeguards.
- Economy: to operate in the most efficient manner possible considering all constraints imposed.
- Violation of the transportation guidelines will result in the disciplinary procedures.
- First violation will result in driving privileges will be prohibited for a period of five (5) days.
- A second violation will result in driving privileges being prohibited for a period of ten (10) days.
- A third violation will result in all driving privileges will be revoked for the current school year and employee will be removed from school vehicle insurance policy.

General guidelines for management of the Transportation Department are:

- Employees operating school vehicles are required to possess a valid driver license, have a safe driving record and be listed on the school insurance policy.
- Students are prohibited from operating school vehicles.
- Buses shall not be left unattended when buses are running or when students are on the bus and keys shall not be left in unattended school vehicles at any time.
- Employees using school vehicles are required to document the mileage, fuel usage and other reports required by the Transportation Department.
- Employee using school vehicles assigned to the Transportation Department must receive prior clearance from the Transportation Manager.
- All school vehicles used for any purpose shall be checked out through the Transportation manager with an inventory prior to and subsequent to such use.
- Employees requesting transportation services for school related activities and/or field trips are required to complete a Field Trip Request form and submit completed forms to the Administrator or the Administrator designee two weeks in advance. The forms can be picked up from the Administrator or the Administrator designee.
- Alcoholic beverages or other drugs are prohibited in school vehicles and use of such while operating school vehicles will result in immediate termination.
- Drivers must immediately hang vehicle keys back in the key room following vehicle use. Drivers should NOT leave keys in any unattended vehicle at any time.
- Employees are prohibited from unauthorized use of school vehicles.
- Employees shall be responsible for the vehicle. Misuse/abuse of vehicle will result in immediate disciplinary action, which may result in being liable for any damages incurred throughout possession of vehicle. Driver will be placed on a probationary status and may lose privileges of using the school vehicles.
- Employees or others shall not use Transportation Department fuel, supplies or equipment for their personal use.
- Anyone using school vehicles, including coaches, sponsors and managers shall clean the vehicle prior to returning it to the Transportation Department. Failure to clean the vehicles may result in no further vehicle use for that individual.
- The driver shall report any accident involving school vehicles immediately to proper authorities and the Transportation Manager.
- Anyone operating a school vehicle must abide by all traffic laws and regulations. Only American Horse School employees with valid Commercial Drivers Licenses (CDL) shall operate AHS buses. Only licensed and insured AHS employees shall operate non-CDL school vehicles.
- Buses shall not leave main bus routes during inclement weather. School issued SUV's may be utilized for off-highway roads to student's homes.
- No mileage shall be paid to parents who transport their children to and from school bus routes and school activities.
- A bus shall wait for students a maximum of three (3) minutes. Busses are not permitted to return to a house after the three (3) minutes stop has been completed. Other transportation must be arranged to get the student to the school.
- AHS vehicles are to only be driven by insured school staff members and based upon approval from Transportation Manager.

- AHS vehicles must be driven ONLY for school related business and must NOT be driven for personal use.
- No pets are allowed in any school vehicles, except for designated service animals.
- Handicapped vehicles designated for handicapped students use only shall only be used in the transportation of the handicapped.
- Student Records/NASIS Clerk shall notify the transportation department on a daily basis of dropped or suspended students and new enrolled students.
- Student Records/NASIS Clerk will notify Administrators if student is absent from bus stop for three consecutive days.
- On field trips or sporting events, teachers and coaches are to be responsible for the supervision and cleaning of any buses/vehicles.
- The use of chewing and smoking tobacco products shall not be permitted in school owned vehicles at any time.
- Students participating in school activities must ride the school bus and/or vehicles, unless a parent signs their student out with the designated school staff member.
- A student that has been transported to a school sponsored activity via means other than school transportation, may not be transported back to the school in school vehicles, unless prior permission has been made.
- The school will not provide additional transportation to a school sponsored event if the designated vehicle(s) has already departed.
- Bus drivers are permitted to make emergency stops when the driver deems it necessary along the road or in approaches when it is safe to do so.
- School provided food and drinks are permitted within school vehicles during school sponsored events, games, and/or field trips.

7.29 SCHOOL BUSES

The Transportation Manager is responsible for making certain that a qualified driver is approved for vehicle use in all instances involving student transportation services. The driver is responsible for the safety of the passengers riding in their bus or vehicle, during the ride and while passengers enter or leave the bus or vehicle.

Bus Drivers are responsible for maintaining school vehicles assigned to them in a safe clean condition. Chewing and smoking tobacco products shall not be permitted in school vehicles at any time. Routine maintenance procedures shall be developed, to keep the property in good condition to ensure longevity of the school vehicles. Preventative and all other maintenance will be conducted by a mechanic. Written records/documentation of any routine maintenance conducted must be documented in a maintenance log.

Bus drivers may keep their buses at their personal residence, with their supervisor's approval. Drivers may be held responsible for any damage to school vehicles that are kept away from the school, even with their supervisor's approval. Bus drivers shall not drive school vehicles for non-school business.

7.30 PRIVATE VEHICLE USE

Employees shall not transport students in personal vehicle.

7.31 TRANSPORTATION INSURANCE

The Board shall purchase insurance to provide protection to children transported for school purposes in school owned, leased or controlled motor vehicles. Such insurance coverage is not an admission of liability by the school for any injury or damage occurring during transportation of children for school purposes in school owned, leased or controlled motor vehicles, nor shall the existence of Federal Tort Claim Act protection in any way relieve the AHS liability insurance carrier from coverage for accidents and other negligent acts committed by AHS, its Board Members, officers, agents, and employees. All school AHS vehicles which require that drivers have CDLs and all other vehicles shall be driven only by qualified, appropriate, and licensed AHS personnel.

7.32 VEHICLE SAFETY INSPECTION

All school vehicles used for transportation services shall be required to pass vehicle inspections and regulations of all applicable transportation laws. The Transportation Manager is responsible for making certain that all vehicles are in compliance and are maintained within regulations and safety inspection requirements during the school term. The Transportation Manager shall implement procedures to ensure compliance for licensing, insurance and inspection requirements. The Transportation Manager is responsible for ensuring all school vehicles are equipped with required items and shall develop, implement and monitor procedures for vehicle maintenance.

7.33 SCHOOL BUS CONDUCT

American Horse School provides transportation for students who reside within the school service area and it is imperative that behavior of students on buses be positive to provide for safe transportation services.

Only individuals listed on the check-out form of the enrollment packet are authorized to call or write a note to change the student's bus destination after school or after school activities, not later than one hour before dismissal or returning from an after-school activity.

Violation of the following School Vehicle Rules may result in students' losing their bus riding privileges. A determined time will be set by the Administration and transportation leader. During this time the parents will be responsible for transporting their students to and from school.

Please follow the rules and be respectful as it will help in providing a safe trip for all students and staff.

- Obey all the directions of the bus driver & bus monitor.
- Be courteous.
- No profane language, or gang related gestures.

- No eating or drinking on the bus. There will be no pop, candy, or sunflower seeds allowed on school vehicles.
- Keep the school vehicles clean.
- Do not damage or tamper with school vehicle equipment.
- Always remain in your seat unless otherwise told by school personnel.
- Always keep your head, hands, and feet inside school vehicle.
- Absolutely no fighting, pushing, or shoving on the school vehicle.
- If behavior is so severe that it endangers the occupants of the vehicle, etc. The driver will stop the school vehicle and call law enforcement to remove students who are causing the disruption.
- Do not bring pets on the bus.
- The bus driver and bus monitor are authorized to assign seats.
- Parents are not allowed to board a school vehicle with the intent of physically and/or verbally abusing students and/or staff members that are loaded in said school vehicles.
- **Any personal items brought onto a school vehicle is not the responsibility of AMERICAN HORSE SCHOOL OR STAFF.**
- Adult/Chaperones on any activities need to be responsible for all students on all bus rides.
- No alcohol, tobacco, drugs, vape pens, or E-Cigarettes are to be brought on school vehicles or to the school. **IF VIOLATED, LOCAL AUTHORITIES WILL BE NOTIFIED.**
- Student Records/NASIS Clerk shall notify the transportation department on a daily basis of dropped or suspended students and new enrolled students.
- Student Records/NASIS Clerk will notify Administrators if student is absent from bus stop for three (3) consecutive days.
- On field trips or sporting events, teachers and coaches are to be responsible for the supervision and cleaning of any buses/vehicles.
- Students participating in school activities must ride the school bus and/or vehicles, unless a parent signs their student out with the designated school staff member.
- A student that has been transported to a school sponsored activity via means other than school transportation, may not be transported back to the school in school vehicles, unless prior permission has been made.
- The school will not provide additional transportation to a school sponsored event if the designated vehicle(s) has already departed.
- Students should report any incident(s) occurring on buses to their bus driver and or monitor. The Bus drivers will fill out incident report hand in to assistant Administrator

Students should report any incident(s) occurring on buses to their bus driver and or monitor. The Bus drivers will fill out incident report hand in to the Administrator.

7.34 SCHEDULING AND ROUTING

The Transportation Manager is responsible for establishing bus transportation routes and schedules in consultation with the Administrator or their designee. Service for students and school related activities have preference in the scheduling of school vehicle use. Employees requesting a vehicle is required to consult with their supervisor. The supervisor will schedule with the Transportation Manager.

7.35 TRANSPORTATION RECORDS

The Transportation Manager shall be responsible for submitting reports and keeping Administrators informed.

The total mileage for each vehicle.

The number of students transported by each vehicle.

The type and number of activities runs completed,

Any inspection(s) completed and the result(s).

Preventive maintenance performed on each vehicle.

Total fuel and other supplies consumed during the reporting period.

Documentation of departure and arrival time of bus routes at each stop at the beginning of the school year.

Notify parents/guardians of approximate schedule for pick-ups and drop-offs of students at the beginning of the year.

7.36 FOOD SERVICE PROGRAM MANAGEMENT

SCHOOL WELLNESS

American Horse School will provide all students with a strong foundation of knowledge, fitness, nutrition and healthy choices. American Horse School will provide an environment that promotes, protects and preserves health.

Nutritional Standards:

The K-8 nutrition standard will include, but not be limited to, promoting nutritional choices while impressing upon the students the importance of good nutritional decisions throughout their lives.

AHS will encourage healthy food choices for classroom activities.

AHS meal program will comply with local, state and federal guidelines.

Physical Activity:

The K-8 fitness and physical education curriculum will incorporate elements of South Dakota Physical Education Standards.

K-8 students will have the opportunity to be involved in physical activity through American Horse School physical education programs, before – and after-school activities, OR other activity programs.

American Horse School will support facility usage by students and community member for fitness and/or athletic activities.

Policy Evaluations:

The Board shall implement a Food Service Program for students to meet or exceed all sanitation, nutrition, and quality meal requirements of Child and Adult Nutrition Services Program (CANS) and other requirements established by the Board. The Food Service Manager shall be responsible for the program on a daily basis and for food service staff supervision.

Goals of the Food Service Program are:

To provide sanitary food preservation, preparation and serving activities designed to enhance student participation in the food service program.

To prepare menus that meets nutritional standards and to consult with students on items for meals that enhance student participation in the program.

To implement daily cleaning and maintenance activities in the food service area that ensures compliance with sanitation and health requirements.

To implement a system of meal preparation that promotes variety, participation, cost effectiveness, and nutrition.

To implement an accounting and reporting process designed to accurately reflect participation in the food service program.

The basic requirements of the Food Service Program are:

Individuals who are not food service employees are prohibited from being in the food preparation area unless authorized by the Food Service Manager.

Food items shall not be taken from the food service area by individuals for their personal use.

Groups requiring food service for special meals are required to submit a written request to the Food Service Manager two weeks prior to the date of services being requested.

All food service personnel are required to have a physical examination annually.

Food service personnel shall be appropriately attired and groomed.

Students shall be prohibited from being in the food service area unless approved to assist by the Food Service Manager.

School-sponsored activities requiring access to food service materials, supplies, equipment, or facilities are not required to submit a deposit. Such activities must have approval of the American Horse School board and at least one school employee shall be present.

Food Service accommodations must be provided to section 504 identified students and other special needs. Documentation of special needs, including food allergies, must be submitted to Food Service Manager, the School Nurse, the Administrators.

FOOD SERVICE INVENTORY: An annual physical count of all food purchases and commodities received shall be conducted by the kitchen supervisor on June 30. This inventory must be submitted to the Business Manager. This count shall be compared to the perpetual inventory records maintained by the Food Service Staff.

7.37 FOOD PROCUREMENT AND CODE OF CONDUCT

American Horse School shall conduct all procurement procedures in compliance with Child Adult and Nutrition (CANS) regulations.

No employee, officer, or agency may participate in the selection, award, or administration of a contract supported by a Federal, State, or Tribal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agency, any member of his or her immediate family, his or partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

No employee may neither solicit not accept gratuities, favors, or anything of monetary value from contractors of parties to subcontracts. However, the school may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value.

7.38 FREE FOOD SERVICE

The Board shall participate in Child and Adult Nutrition Services program to assure all students the opportunity to receive proper nourishment.

The Food Service Manager is responsible for enforcing rules, regulations and procedures which meet tribal, state and federal requirements regarding participation in programs for free or reduced-price meals and other available supplementary food and nutrition program resources.

7.39 FOOD SERVICE SANITATION INSPECTIONS

The Food Service Supervisor shall be responsible for developing and implementing regular, daily and other scheduled cleaning assignments for staff to ensure that health and sanitation requirements are consistently met in the food service area.

7.40 FOOD SERVICE RECORDS

The Food Service Supervisor shall be responsible for assessing student eligibility for participation as established by CANS Program, for daily accounting and record keeping required to maintain program compliance and reimbursement.

The Food Service Supervisor shall monitor and submit reports to CANS Program and shall conduct periodic auditing of accounting and reporting data maintained daily by the Food Service Program.

The Food Service Manager shall complete required documentation pertaining to the breakfast, lunch, and fresh fruit/vegetables meals and snacks. The Food Service Manager must complete the CANS Program reimbursement claims by the 10th of each month.

7.41 INSURANCE MANAGEMENT

Board purchase of insurance shall be in accordance with all laws and regulations with the Business Manager responsible for the management of school insurance programs, with the understanding that AHS, a Self-Determination and Educational Assistance Act Contract School, has certain protections under the Federal Tort Claim Act for tort claims against the school.

The Board shall provide personnel and property insurance coverage as mandated by law and may consider insurance or fringe benefit coverage as options dependent upon needs and budget. The Board shall purchase liability insurance for Board officers and employees in discharge of official duties.

7.42 FACILITY OBSOLESCENCE DETERMINATION

The Facilities Manager is responsible for reporting to the Board about any facilities that have deteriorated to the point that they are no longer usable.

7.43 PUBLIC INFORMATION PROGRAM

The Board shall make the public fully aware of all aspects of the school by:

- Keeping the public informed regarding policies, administrative operation, objectives, educational program, and successes or corrective measure being taken.

- Furnishing full and accurate information, favorable and unfavorable, together with interpretation and explanation of the school plans and programs.

7.44 SCHOOL SPONSORED INFORMATION

The school designated staff shall employ such means as necessary to inform stakeholders of school activities and policies. The School may use NASIS outreach system, social media, email, and KILI Radio to disseminate school sponsored information.

7.45 NEWS RELEASE

The Administrator shall be responsible for releasing information about the school system and Board action(s). News releases will only be made through, the Administrator and the Administrator's designee. The Board will have final authority over the contents of the news release.

7.46 LOCAL GOVERNMENT RELATIONS

The Board will cooperate with other governmental agencies to achieve the best interests of youth and stakeholders of the school service area.

7.47 RELATIONS WITH LAW ENFORCEMENT

Cooperation with law enforcement agencies is essential for the protection of students, the maintenance of a safe school environment, and to safeguard all school property. Safety and Security Officer shall develop a Memorandum of Understanding with the OST Law Enforcement and shall have the AHS Board approve such Memorandum.

7.48 INTERROGATIONS AND INVESTIGATIONS BY LAW ENFORCEMENT

Law Enforcement may be called to the school at the request of the respective Administrator or Administrators' Designee. Law enforcement shall contact the Administrator or Administrators' Designee first, if they wish to come to school for official business.

Prior to Law Enforcement questioning or detaining a student on a Law Enforcement matter, the respective Administrators shall inform the parent of such request and ask them to attend such interview, unless the investigation involves an Abuse and Neglect investigation involving the student, the student's siblings, and their legal guardian. If the parent does not approve of the interview, the interview shall not be held on school grounds. Students cannot be arrested for offenses taking place off school grounds without a valid arrest warrant presented to the respective Administrators or Administrators' Designee.

7.49 SEARCHES, INTERVIEWS, SEIZURES AND USE OF METAL DETECTORS AND DETECTION WANDS

AHS has determined that the presence of controlled substances on school grounds in the past year and threats from weapons has resulted in a real and serious threat to the health and safety

of students and personnel that warrants additional student screening procedures upon entry to the School. To address this threat, the School may conduct searches of student backpacks and bags upon entry to the School grounds and after exiting and re-entering the School building. The School may also install a metal detector and use detection wands at the entry doors to the School for the purpose of preventing the presence of weapons in the School and require all students to clear the metal detector. Any student who does not clear the metal detector or detection wand screening will be subject to search of their personal property and person prior to entry. Students and parents are notified with the adoption of this Policy that the School may conduct random search upon entry to the building to mitigate the serious and real risk posed by the presence of weapons and/or controlled substances in the school.

The school reserves the right to search students and/or their personal property when a school official, a teacher, or staff member has reasonable suspicion that the student has violated the law or school policy, or poses a threat to the health and safety of students, based upon a reasonable suspicion that drugs, alcohol, or weapons are present in a student's personal property, or there is reasonable suspicion and an immediate need to secure evidence relating to a criminal offense (assault, drug offenses, etc.). If a student is suspected of using their cell phone or electronic device in violation of AHS policy, staff or administrators may reasonably search the contents of the student's phone for evidence of the specific violation. School Officials have the authority to conduct searches of individual student(s) and the student's property. Authority for these searches may be exercised as needed in the interest of safeguarding students, staff, student's property and school property. After a student has entered the School, the student's personal effects including suitcases, bags, storage containers, backpacks, purse, or wallet will not be searched without the student's presence and permission unless there is a clear indication with reasonable suspicion that a law or school regulation have been broken. Reasonable suspicion proves that school/dormitory or officials are not under the more stringent conditions of probable cause as are law enforcement officials. The School Resource Officer is also covered under the conditions of reasonable suspicion when directed by the School Administrator.

In order to maintain a safe and positive learning environment in the school, any student suspected of being intoxicated, under the influence of controlled substances or alcohol, and/or in possession of controlled substances, or contraband may be searched by school officials, including personal items such as bags, purses, etc.. Students who refuse to submit to a search may be referred to appropriate law enforcement authorities if such action is deemed necessary by the administration.

If an actual student search is deemed necessary, as staff members of the same sex as the student and with the same sex witness must do the search. If probable cause exists, "law enforcement will decide is a strip search is required based on law enforcement procedures. Under no circumstances will the school/dormitory officials conduct a strip search on any student".

Staff have the right to examine any personal property left unattended on school grounds and such activity does not constitute a search. This includes search of cell phones and other items including backpacks and purses.

All students have the right to a reasonable degree of privacy, but that privacy does not extend to the endangerment of the health and safety of other students or staff. The School recognizes and will preserve that student's right to privacy and security of personal effects. However, it is the inherent right of the School Officials to inspect each student possessions, backpacks, bags, and other storage space for safety and health hazards and/or a violation of the school/dormitory regulations.

School administrators and teachers have the right to question students regarding their conduct and/or the conduct of others.

School officials may grant law enforcement or school resource official's permission to use drug dogs property owned/or controlled by the AHS.

Backpacks and Handbags: Backpacks are subject to search and seizure upon entry to the buildings, when left unattended, or when there is reasonable suspicion that a law or school regulation has been broken

7.50 DRUG DETECTION CANINES (DRUG DOGS)

At the discretion of the Administrator, a search of school buildings/grounds by drug detection canines (drug dogs) will be scheduled. The date of the search itself will not be announced.

Building Administrator will be present during any scheduled search. A limited number of other staff and faculty (i.e. guidance counselors and drug and alcohol counselors) may be present during the search, at the discretion of the building Administrator.

Also, the handler of the drug dog can limit the number of persons in attendance to ensure the professionalism of the search and to protect potential evidence. Representatives of the media will not be present during the drug dog searches. During the search itself, students will not be present in the immediate areas of the search. The handler of the drug dog will conduct a "pre-search" of the area prior to introducing the drug dog to that area. During a search, the drug dog may alert to a particular personal item, backpacks, bags or vehicle. At the discretion of the Highway Patrol or police officer, the possession, area, and/or storage space in question will be secured and searched immediately by the law enforcement officers. If illegal drugs are found, the South Dakota law enforcement officers will seek out and question the user(s) of the possession, area, and/or storage space. When the identity of the person possessing the illegal drugs is established, an arrest will be made immediately. If illegal drugs are not found in the possession, area, and/or storage space to which the drug dog has alerted, the identification of that possession, area, and/or storage space will be disclosed to the school Administrator or their designee. The Administration and/or designee will contact the parents of the identified student to make the parent aware that the drug dog did alert on their student's property. This will be done in a confidential manner, not to call attention to the student.

7.51 SHARED SERVICES

The Board shall cooperate with colleges, universities, and other agencies promoting research based on the following criteria and as drawn up by the Administrator:

The objectives of the research should be clearly stated and the design should produce valid and reliable to be made available to the school;

Support the efforts of the Oglala Sioux Tribe Department of Education and other recognized tribal organizations, i.e., including board memberships such as ONEC, NISBA, etc.

7.52 RELATIONS WITH COLLEGES AND UNIVERSITIES

The Board believes that staff and students should take full advantage of resources provided by colleges and universities in the area. The Administrator shall keep the Board informed of all opportunities for services between the school and institutions of higher learning, including student, teacher and administrative internship programs. AHS may enter into MOUs with colleges and universities with Board approval of such MOU's.

7.53 PROFESSIONAL VISITORS AND OBSERVERS

One of the ways Board members and staff can improve their effectiveness and the quality of education for students is by visiting school systems with novel, experimental or innovative programs. Board members should occasionally visit other school systems and encourage staff to do so. The Board also welcomes professional visitors to American Horse School. All visitors shall report to the Administrator's office to state their business before entering any other part of the AHS. Such visitors shall sign a visitor's sign-in sheet at the respective Administrators office.

Groups who wish to visit the school should make arrangements in advance with the respective Administrators who shall provide someone to assist them in their visit. This will ensure that the programs visited are operational on their arrival and guard against undesirable interruptions in scheduled programs of students and staff.

Visitors arriving unannounced at the school shall be directed to the respective Administrator's office. Visitors that have not completed the background check process must be supervised by an AHS staff person at all times.

7.54 COMPLAINTS ABOUT INSTRUCTIONAL MATERIALS

The Board will not permit any individual or group to exercise censorship over instructional materials and library collections. Provision will be made for the Assessment of instructional materials upon formal written request.

Students' right to learn and the freedom of teachers to teach shall be respected.

7.55 FLAG DISPLAYS

The Board encourages that a flag staff with all necessary appliances be maintained at the school building and that a United States and Oglala Sioux Tribal flag be flown from such flag staff during the school hours of each school day, except when a violent storm or inclement weather would destroy or damage them.

7.56 SCHOOL ORGANIZATION PLAN

The Board shall approve a Comprehensive Schoolwide Plan that identifies specific goals, objectives, and activities for development and implementation.

The Administrator shall be responsible for monitoring activities identified in the Comprehensive Schoolwide Plan and shall submit a report to the Board at the annual meeting about accomplishments and identified needs.

The Administrator shall conduct a Comprehensive Schoolwide Plan review and Assessment session annually utilizing a process for input from staff, students, parents and other community members by the end of the first week in June. The Comprehensive Schoolwide Plan should be presented to the school board for review and approval by the May finance meeting and submitted to the BIE by June 30th. Any revisions to the Comprehensive Schoolwide Plan shall be disseminated to all employees during scheduled pre-service at the beginning of each school year.

7.57 SCHOOL ATTENDANCE AREA

The Board shall establish school service area boundaries and any changes to school boundaries for grades K-8. The School reserves the right to limit its enrollment for K-8 students when it is determined that enrollment or estimated enrollment has increased beyond the capacity of the School's facilities. The School Board may approve a student who resides outside of the school boundaries to attend the school on a case-by-case basis.

7.58 SCHOOL YEAR

The term of school shall be approved by the School Board and will meet accreditation requirements.

7.59 SCHOOL CALENDAR

The school calendar shall meet accreditation requirements, set days of attendance for staff and students, days of in-service and organizational meetings for teachers and administrators, holiday and vacation periods, and other schedules of importance to the staff, students and public.

The Administrator shall present a school calendar for the ensuing term of school to the Board for their approval on or before the first regular school board meeting in February. Any changes in the school calendar require Board approval prior to the end of the current term of school.

School must meet minimum contact time and days of attendance as specified by the Bureau of Indian Education. This includes a minimum of one hundred eighty (180) school days and meet the minimum hours per grade levels:

- Kindergarten: 720 Hours
- 1st–3rd Grades: 810 Hours
- 4th–8th Grades: 900 Hours

7.60 SUMMER SESSION-EXTENDED LEARNING OPPORTUNITIES

Extended Learning Opportunities to include summer session, homework, tutoring, and afterschool enrichment.

The Board may provide an afterschool enrichment as deemed necessary. This should be approved at the September Regular Meeting for the afterschool enrichment session. The school administration shall set the times, dates, and courses to be offered during the afterschool enrichment session.

The Board may provide a summer session as deemed necessary at all levels of instruction upon the recommendation of the Administrator. This should be approved at the April Regular Meeting for the summer session. The school administration shall set the times, dates, and courses to be offered during the summer session.

7.61 SCHOOL DAY

The length of the school day shall be in compliance with applicable laws, rules and regulations. Any days missed shall be made-up during the current term of school at a date to be decided upon after input from the staff, students and parents and pending Board approval.

7.62 EMERGENCY CLOSING

The Administrator may close school for emergencies, which threaten the life, health or safety of the students or staff. School closure information should be disseminated and broadcast via the NASIS outreach system, social media, email, local radio, and television stations.

7.63 MEDIA BROADCASTING

American Horse School may participate in local television and radio to broadcast school and community events.

7.64 SCHOOL TECHNOLOGY RULES

Staff at American Horse School are expected to follow some general rules when using or supervising activities involving computers or technology equipment.

1. Security
   A. All staff using a computer must complete an annual Security Awareness review and test through the Department of Interior. This is commonly known as Federal Information System Security Awareness + Privacy and Records Management Training (FISSA+). IT or designated personnel is the POC for this activity. For the 2025-2026 school years, this must be completed by September 30, 2025.
   B. Usernames and passwords will not be shared. If a teacher has a Paraprofessional or Aid, that person must have their own uniquely assigned Username and Password. (No Exceptions).
   C. All staff assigned or using a computer must have a username and password of their own (Obtain from the Technology Coordinator).
   D. Computers and technology equipment will not be removed from school grounds unless you are on official business.
   E. Computers will not be moved from their assigned location without consent from administration and knowledge of the technology coordinator.
   F. Staff will store their individual work files on jump drives.
   G. Staff use of personal technology in the school is not authorized. All computers (except Chromebooks) will be assigned to the BIE Domain which provides Anti-Virus and Malware protection.
2. Use of Equipment and Computer Labs.
   A. Report all technology issues to both designated personnel immediately and they will be handled as soon as possible.
   B. Cell phones are not authorized within the school except for official business.
   C. Student use of cell phones, iPads, iPods, and other devices are never authorized. They will only use laptops and Chromebooks provided through the school.
   D. Chromebooks are assigned through Google Education Administration – all students must have unique usernames and passwords to use Chromebooks. Teachers using Chromebooks are responsible for coordination for student access to these devices through the Technology Coordinator.
   E. Teachers will conduct regular inspections of laptops and Chromebooks. All damage or troubleshooting needs will be recorded and reported to the Technology Coordinator as soon as possible.
   F. All computer labs are monitored by an assigned staff member. This staff member is your first point of contact for all needs within the lab. That person will work with the Technology Coordinator to address all needs.
   G. WIFI access will not be granted for cell phones, nor are cell phones to be used for Internet activities.
   H. Do not clean computer screens with any cleaning solvents other than authorized screen wipes.
   I. Staff is responsible for maintaining a clean working environment and keeping their technology equipment dusted and clean.
   J. Computer labs will be free of clutter.

K. Students will not consume food, candy, gum, and drinks while using and/or near any technology.
L. Streaming radio is not authorized.
M. You Tube and other educational videos may be used as long as they are incorporated into the lesson plan.
N. Internet activities are to be limited to those that support the educational goals and mission of the school.

3. Website and Social Media, and Email
   A. Staff must use their school issued Email account (coordinate through IT) to complete school related correspondence.
   B. American Horse School has a website located at www.americanhorsechiefs.org.
   C. Staff can access the NASIS portal from the school website.
   D. Teachers are asked to provide input to the website the first and third Wednesday of each month. This should be minimal in nature – a picture with a short narrative. Items can be submitted to designated personnel. New teachers are encouraged to submit a short bio to enhance the location of their actual webpage within the school website.
   E. Student names may be posted on websites or social media if the students have a signed media release form on file.
   F. Social media, instant messaging, peer-to-peer, file sharing, and chat sites are not authorized for use from the school network.
   G. American Horse School does have an official Social Media presence. All updates, changes, or modifications must be approved by the Administrator or their designee.

7.65 STAFF ACCESS TO SCHOOL ELECTRONIC MAIL

Staff will employ electronic mail on a daily basis at work as a primary tool for communications. The American Horse School may rely upon this medium to communicate information, and all staff will be responsible for checking and reading messages daily.

The network is provided for staff and students to conduct research, complete assignments, and communicate with others. Communications over the network are often public in nature, therefore, general rules and standards for professional behavior and communications will apply.

Electronic mail is not to be utilized by employees to share confidential information about students or other employees because messages are not entirely secure.

The School may review files and communications to maintain system integrity and to ensure that files stored on district servers will be private.

The following behaviors are not permitted on the school network:

- Sharing confidential information on students or employees
- Sending or displaying offensive messages or pictures
- Assisting a campaign for election of any person to any office or for the promotion of or opposition to any ballot proposition

- Using obscene language
- Harassing, insulting, or attacking others
- Engaging in practices that threaten the network (e.g. loading files that may introduce a virus or other malicious code that compromises the network)
- Violating copyright laws
- Using others' passwords
- Trespassing in others' folder, documents, or files
- Intentionally wasting limited resources
- Employing the network for commercial purposes, financial gain, or fraud
- Violating regulations prescribed by the network provider
- Promoting, supporting or celebrating religion or religious institutions
- Conducting business of an employment dispute, except as may be agreed to in writing between the employee(s) and the American Horse School

Every email originating on the school email system is identified by its address as a school document.

The school reserves the right to suspend or terminate any email account without notice for communications that do not exhibit the professionalism expected in formal school communications, including use of the email to advocate, support or coordinate any employment dispute against the American Horse School and American Horse School Board.

Inappropriate behavior, violations, or complaints will be routed to the employee's supervisor. The employee's supervisor will inform the Administrator who will engage with the School Board to determine appropriate action. Violations may result in a loss of access and/or disciplinary action. When applicable, law enforcement agencies may be involved.

Each employee will be given copies of this policy and procedures and will acknowledge the policy and procedures before establishing an account or continuing their use. Designated AHS employees must complete the annual Federal Information System Security Awareness (FISSA) certification as specified by the Bureau of Indian Education (BIE).

7.66 INTERNET SAFETY POLICY

It is the policy of the American Horse 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 authorized 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 USC254 (h)]

Access to Inappropriate Material

To the extent practical, technology protection measures (or "internet filter") shall be used to block or filter internet, or other forms of electronic communications, access to inappropriate information.

Specifically, as required by the Children's Internet Protection Act, blocking shall be applied to visual depictions of material deemed obscene or child pornography or to any material deemed harmful to minors.

Subject to staff supervision, technology protection measures may be disabled or, in the case of minors, minimized only for bona fide research or other lawful purposes.

Inappropriate Network Usage

To the extent practical, steps shall be taken to promote the safety and security of users of the American Horse School online computer network when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications.

Specifically, as required by the Children's Internet Protection Act, prevention of inappropriate network usage includes: (a) unauthorized access, including so-called 'hacking' and other unlawful activities; and (b) unauthorized disclosure, use, and dissemination of personal identification information regarding minors.

Supervision and Monitoring

It shall be the responsibility of all members of the American Horse School staff to supervise and monitor usage of the online computer network and access to the Internet in accordance with this policy and the Children's Internet Protection Act.

Procedures for the disabling or otherwise modifying any technology protection measures shall be the responsibility of the Technology Department or designated representative.

7.67 RECORDS RETENTION

American Horse School will comply with records retention schedules as applicable. The AHS Business Manager shall maintain the records retention schedule.

7.68 PARENT INVOLVEMENT

The American Horse School staff and school board appreciate the importance of an informed working partnership between the students, their families, the community at large and the staff at our school.

The American Horse School Board will develop a strong partnership with the home. Parents and the school will work as partners to increase student achievement and assist in developing positive attitudes about self and school. The key factor in the school-to-home partnership is the relationship between the teacher and the parent. American Horse School believes parents are an essential resource and a child's first teacher in the learning process.

Establish meaningful and on-going communication between parents and the school. The following are some methods teachers may use to communicate with parents: Parent-Teacher Conferences; Phone calls; Home Visits; Annual Reports; School Policies reviews; Google Meets

for Individual Parent/Guardian Meetings; School provided STUDENT emails; School provided PARENT emails; Social media outreach via the school designated accounts; and the NASIS outreach system.

American Horse School will provide information and ideas to families about how to assist students at home with academic and curricular related activities, after school activities/programming, family/community events and planning.

All forms of communication are sent through social media (AHS Webpage, AHS Facebook Page), Student and Parent emails, KILI Radio, and paper copies.

Weekly Notes, Monthly calendar of events/activities, Monthly parent newsletter maybe shared with parents in a paper copy format.

7.69 SCHOOL VISITORS

The Board welcomes and encourages visits to school by parents/guardians, adult residents and interested educators. To assure order that the greatest benefit can be derived from such visits and to ensure order in the schools and the safety of students and staff; the following guidelines shall govern school visitations.

The Administrator or designee have the authority to prohibit the entry of any individual to a school, in accordance with Board guidelines and actions.

Guidelines:

1. Reporting to the Office
   All visitors are expected to wait at the door until a staff member escorts them to the office. Upon registering, visitors will be issued a visitor's badge. All visitors are expected to wait in the office until a staff member comes to the office and escorts the visitor to their destination.

2. Scheduling Appointments
   Meetings and activities where parents/guardians receive written invitations from the building administration are considered scheduled appointments. Exceptions may be made in the case of emergencies.

3. Interruptions
   Visitors may not interrupt a teacher who is teaching a class. Visitors are not to interrupt a teacher during preparation times or other related instructional duties unless an appointment has been made or other advance notice given according to the guidelines provided in this policy.

4. Parent-Teacher Conferences
   Parent-teacher conferences are encouraged. Such conferences may be requested by either the parent/guardian or the teacher and should be scheduled at a time convenient to all parties.

5. School Board

AHS School Board has the right to conduct unannounced visits and/or observations, of the school, classrooms, and any school related activity.

6. Classroom Observations

Classroom observations by parents/guardians, community members or interested educators can be valuable, even though they may disrupt the class. It is believed that parents/guardians, other community members and educators can gain a better sense of the instruction process by observing teaching and learning activities. The Administrator must evaluate the benefit of the visit and compare it with the potential for disruption.

Observation may be approved when the following have occurred:

- A written request to visit has been submitted to the Administrator on the form provided by the school at least two (2) school days prior to the visit and is subsequently approved by the Administrator and/or special education supervisor. When there are scheduled classroom visits individual written requests will not be required.

- The Administrator has consulted with the teacher and has decided that the visit will be beneficial. The Administrator will notify parent/guardian by phone, of the appropriateness of the visit. The decision of the Administrator may be appealed to the Board.

The Administrator will consider the following factors in deciding whether the visit will be beneficial:

- The purpose of the observation.
- The duration of the observation.
- The classroom activities planned during the observation.
- The number of previous observations of that particular class.
- The needs of the children in that class.

When a parent/guardian is involved in a special education hearing or other litigation with the school, teacher or other staff at the time of a requested observation, an administrator will observe the class with the parent/guardian if permission to visit is granted.

7. Speaking with Students

Only visitors who are the parent/guardian, or legal custodial caretaker of a student may confer with a student in school and only with the prior permission of the Administrators. Exceptions to this policy will be granted in emergency situations and in the case of where advance arrangements are made with the Administrators. Visits or conferences with students during the school day result in the interruption of the overall educational process and are generally discouraged, except in emergency or unusual circumstances.

8. Discussions of Students
School personnel should not discuss individual students or the performance of those students with any non-school persons except that student's parent/guardian without the written permission of such parent/guardian, or legal custodial caretaker. Exceptions to this policy may apply in connection with cooperation with law enforcement officials.

9. Recording Events
No visitor shall be allowed to photograph or videotape any person or any part of any building or to tape record any conversation of any kind without prior approval by the Administrators and School Board.

10. Loud, Abrasive and/or Profane Language or Behavior
It is the policy of the school to prevent disruptions to school operations and the instructional process. All persons, including but not limited to students, parents/guardians, employees, visitors and members of the general public are prohibited from the use of foul, profane and abusive language, whether spoken or written, or for a tirade in any manner in the school buildings or upon school grounds. This policy will be particularly enforced if language or actions are professed in a loud and/or offensive manner or in a manner observable by other persons. School administration, Safety and Security Officer may be notified and proper legal action taken.

All persons are therefore warned that violation of this policy may result in removal from school property by appropriate school authorities. Members of the public may be subject to removal from school property and may be charged with trespassing for failure to promptly vacate the property upon proper notice of notification. In all cases, violators may be subject to appropriate laws of the Oglala Sioux Tribe.

7.70 SEX OFFENDER VISITOR

1. A registered sex offender who is the parent or guardian of a student enrolled at AHS may be on school property or attend away events only for the following reasons, provided all the conditions set forth in Section (2)-(5) are met:
   A. To attend a scheduled conference with school personnel to discuss the students' academic, medical or social progress;
   B. To attend a scheduled student's athletic event, music event, or other school-sponsored extracurricular activity;
   C. At the request of the principal or designee, for any reason relating to the welfare or transportation of the student;
   D. As a student of the school with written permission of the school board or governing body;
   E. For any other reason, the Superintendent or Principal may request to meet with the parent/guardian of a student.
2. To visit school property or attend away events for the reasons set forth in section (a) the parent or guardian must notify the Superintendent of his or her registration under SORNA prior to the beginning of the school year.

3. For each visit authorized under subsection (a), the parent or guardian must arrange to meet a staff member at the edge of school property, check in at the Superintendent's office upon arrival to AHS and upon departure from AHS, and the parent or guardian will be under supervision of school personnel at all times. If school personnel are unable to supervise the parent or guardian at all times, then the parent or guardian will not be permitted to enter AHS property or remain on campus
4. For each visit permitted under section (a), the parent or guardian must comply with all reasonable rules and restrictions placed upon the parent or guardian, including restrictions on the date, time, location, and length of meeting
5. For each visit permitted under section (a), the parent or guardian must leave AHS property promptly after the event
6. Failure to follow conditions outlined in section (2)-(5) conditions may cause AHS to file a restraining order against the violators, barring them from attending future school events or conferences
7. If AHS does not permit the parent or guardian even if the parent or guardian is permitted under section (a), or conditions (2)-(5) are not met, AHS must provide an option for the parent/guardians to attend virtually through Zooms, Teams, or other similar platforms.
8. If AHS does not permit a parent or guardian onto campus, whether or not the parent/guardian fits the criteria of Section (a), AHS will provide the parent/guardian with a written justification as to why they are being denied entry and the steps AHS will take to allow the parent/guardian to participate in their child's activity.

If a parent or guardian has questions or concerns, they may contact the Administrator.

7.71 ELECTRONIC SURVEILLANCE

The American Horse School Board recognizes the responsibility to maintain security, order, and discipline on all school property, including but not limited to, the offices, school buildings, classrooms, school grounds, and school vehicles. The students and staff of the school recognize that their security and safety depend upon the capacity of the school to maintain discipline and order and, consequently, supervision over and the ability to impose certain conditions on the activities of students is assumed and expected. Nevertheless, the school recognizes established privacy interests of its students and staff, and is committed to protect the confidentiality of students and staff's records maintained by the school to the extent authorized by law.

The school has determined that electronic surveillance systems are necessary for monitoring activity on school property, and in school vehicles in order to protect the health, welfare and safety of its students, staff, and other authorized occupants. Accordingly, the School authorizes the use of electronic surveillance in the form of video camera surveillance on the school offices, classrooms, buildings, grounds, and in its transportation, vehicles as follows:

Video cameras shall be placed in public locations deemed appropriate by the Administrator or designee and shall not be placed in areas where there is a reasonable expectation of privacy.

The School shall notify its students, their parents/guardians and School staff that electronic surveillance may occur on any School property, or on any transportation vehicle, and that video recordings may be used in disciplinary actions or sanctions. The School shall incorporate said notice in handbooks, post notice at the main entrance of the School office, school buildings, classrooms, and at the entry door of any bus that may have electronic surveillance equipment in operation.

The use and maintenance of electronic surveillance equipment on school grounds, School property, or in transportation vehicles shall be supervised and controlled by the Facilities Manager, the school Administrators or designee. Students and staff shall not tamper or interfere with the video camera equipment.

The use of video recordings from surveillance equipment shall be subject to other policies of the School including policies concerning the confidentiality of student and personnel records. The School shall comply with all applicable state and federal laws related to record maintenance, retention, and disclosure including the Family Educational Rights and Privacy Act ("FERPA"), and all applicable tribal, state and federal laws.

Electronic surveillance shall only be used to promote the order, safety, and security of students, staff, property, and other authorized individuals. The School may rely on the images obtained by video surveillance cameras in connection with the enforcement of Board policy, administrative regulations, building rules, and other applicable laws.

In addition to any surveillance that might otherwise be permitted by law, video or audio recording in the classrooms will be permitted to promote educational purposes and staff improvement but not for staff or teacher discipline unless the recording of staff or teachers is incidental to an otherwise properly recorded incident.

Surveillance systems and all resulting recordings shall be located in a secured area and access to the system and recordings shall be strictly limited. Video recordings will be archived on a secured server for ten (10) days until removed. Recordings may be reviewed as authorized by the Administrator or designee.

Video recordings retained as part of an individual student's disciplinary record shall be maintained in accordance with law and board policy governing the access, review, and release of student records.

Employees shall be responsible for the appropriate use of technology and shall not use any school resources for unethical practices or any activity prohibited by law or school policy.

The Safety and Security Officer shall have access to all electronic video surveillance systems, footage, and programs. Electronic video surveillance systems installed on all school property, include but are not limited to, the offices, school buildings, classrooms, school grounds, and school vehicles. The Administrator or their designee, along with the school Safety and Security Officer shall have primary responsibility to access, retrieve, and review footage collected by school electronic video surveillance systems. Unless approved by the School Administrator,

other school staff members should not have access to electronic video surveillance systems, nor should other school staff members gain access to electronic video surveillance systems, unless given permission by the Administrator or their designee. This includes school vehicle installed electronic video surveillance systems.

Viewing Requests

Due to federal law and student privacy concerns, the school will not allow video to be reviewed unless a court order requires it. In such instances, the video shall only be reviewed at the school under proper supervision and the viewer shall agree to maintain confidentiality as it relates to other students.

All viewing requests must be submitted in writing. Requests for viewing will be limited to those parents/guardians, legal custodial guardians, school officials and/or law enforcement with a direct interest in the proceedings as authorized by the Administrator and only the portion of the video recording concerning the related specific incident will be made available for viewing.

Written requests for viewing may be made to the Administrator within five (5) school days of the date of recording, and/or notice of the recording.

The School Board will approve or deny a request for viewing within ten (10) school days of receipts of the request and so communicated to the requesting individual.

Video recordings will be made available for viewing within three school days of the request approval.

Actual viewing will be permitted only at school-related sites, including the school buildings or essential administrative offices.

All viewing will include the building Administrator, or their designee.

A written log will be maintained for those viewing video recordings, including the date of viewing, reason for viewing, date the recording was made, location at school or school office, and signature of the viewer.

Video recordings will remain the property of the school and may be reproduced only in accordance with law, including applicable Board policy and regulations.

7.72 WHISTLEBLOWER

This policy is intended to encourage Board members, staff, and others to report suspected or actual occurrence(s) of illegal, unethical or inappropriate events (behaviors or practices) without retribution.

The Whistleblower should promptly report the suspected or actual event to their supervisor.

If the Whistleblower would be uncomfortable or otherwise reluctant to report to their supervisor, then the Whistleblower could report the event to the next highest or another level of management, including to an appropriate Board member.

The Whistleblower can report the event with their identity or anonymously.

The Whistleblower shall receive no retaliation or retribution for a report that was provided in good faith – that was not done primarily with malice to damage another or the organization.

A Whistleblower who makes a report that is not done in good faith is subject to discipline, including termination of the Board or employee relationship, or other legal means to protect the reputation of the organization and members of its Board and staff.

Anyone who retaliates against the Whistleblower (who reported an event in good faith) will be subject to discipline, including termination of Board or employee status.

Crimes against person or property, such as assault, rape, burglary, etc., should immediately be reported to local law enforcement personnel.

Supervisors, managers and/or Board members who receive the reports must promptly act to investigate and/or resolve the issue. Any Whistleblower reports will be communicated to the Board immediately.

The Whistleblower shall receive a report within twenty (20) business days of the initial report, regarding the investigation, disposition or resolution of the issue.

If the investigation of a report, that was done in good faith and investigated by internal personnel, is not to the Whistleblower's satisfaction, then they have the right to report the event to the appropriate legal or investigative agency.

The identity of the Whistleblower, if known, shall remain confidential to those persons directly involved in applying this policy, unless the issue requires investigation by law enforcement, in which case members of the organization are subject to subpoena.