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September 3, 2025

Recently, the Andes Central School District (ACSD) in Lake Andes, South Dakota, has been attacked, maligned, and falsely accused of egregious conduct on social media and in the news. These accusations, attacks and allegations are patently false and provide only one, unsubstantiated side of an extensive story. The Dakota News Now segment recently published on an EEOC complaint of racial and sexual discrimination is wholly inaccurate and provided false and misleading information. While most of the evidence in the EEOC matter is confidential and the rules of ethics prevent me from commenting on the details of pending litigation, I can certainly say that ACSD disputes the EEOC allegations and will vehemently defend against the unfounded accusations therein. The claim, however, will not be litigated in the biased and prejudicial public forum as the complainant and Dakota News Now desire.

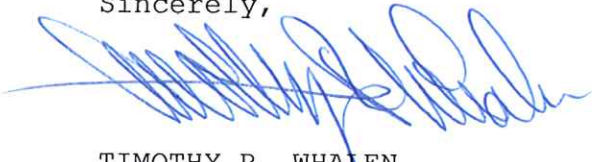
The EEOC complaint and the social media posts accusing ACSD board and staff members of racism, child abuse, illegal searches, violation of student rights, and discriminatory actions are patently untrue and false. Most of the accusations come as cowardly anonymous posts on social media. The false nature of the posting has been addressed by ACSD and if the false posts continue ACSD may seek legal action to stop the malicious conduct on social media. It is important to note that while the ACSD board and staff are accused of engaging in racist and/or discriminatory practices in employment or student matters, the accusations are leveled against a seven member board, four of whom are or were married to Native American people, who have Native American children, who have Native American blood, or frequently are foster parents to Native American children. Moreover, the teachers and staff at ACSD are dedicated professionals who are committed to their work and perform a thankless task which is essential to all communities. For them to be maligned as has been the case recently is despicable and needs to stop immediately. The public needs to understand that when bad behavior by a student or employee is encountered by ACSD, actions will be taken to correct the behavior and if those actions are unsuccessful, more serious disciplinary measures will be taken to protect not only the students and staff, but provide a more safe and secure learning environment for the students and teaching environment for the staff.

Finally, there have been numerous accusations against the ACSD for the manner in which it has handled student disciplinary matters. The accusations include, but are not limited to, racist actions, discriminatory actions, abuse of children, strip searches of students, abuse of process, and violations of school district policies. These accusations are patently false. ACSD and all staff do not engage in any of the above actions and have treated all students, employees, and parents with the utmost dignity and respect in all regards. Understand, however, that when a student is a disciplinary problem, brings and uses a vape or drugs to school, is disruptive to class and the school environment, assaults staff or other students, or violates the policies of ACSD, all actions necessary to protect staff and students will be taken by ACSD and its administration. In this respect, ACSD has been very proactive and has expelled students for the above behavior. While there is a hue and cry by the parent(s) or guardian(s) of

the students subject of the disciplinary measures, the overwhelming response by the other students and staff has been positive and appreciated. The actions by the ACSD in this regard have allowed for a safer school environment, better teaching environment, and overall more productive school for the students. Misconduct by a staff member at ACSD is met with the same actions as student misconduct and will not be tolerated by ACSD either. When staff members engage in misconduct, disciplinary measures are and will continue to be taken.

The ACSD board, administration, and staff have been and always will be committed to providing a quality learning environment and experience to its students and their parents and guardians. This will not change because of malicious, unfounded, and false publications by disgruntled citizens in the District.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Timothy R. Whalen', is written over a horizontal line.

TIMOTHY R. WHALEN
Attorney at Law
Lake Andes, SD