

TIOSPA ZINA TRIBAL SCHOOL EMPLOYEE HANDBOOK



This handbook is not a contract, it is not binding but informative only, and it may be changed unilaterally by the Sisseton Wahpeton Oyate School Board.

Please see SWSB policies and approved Employee Code of Conduct for official policies and procedures.

MISSION

The mission of Tiospa Zina Tribal School, as a Dakota school, created from the vision of a few and supported by many, is to cultivate successful citizens by building positive relationships with families in our culturally diverse society with: Wicake – Honesty, Tehinda – Caring, Waunsida – Compassion, Okciye – Generosity, Ohoda – Respect, Woksape – Understanding, and Waditake – Bravery.

VISION

Tiospa Zina is a place where: creative thinkers exhibit Ohoda, Okciya, Tehinda, Wicake and Waunsida, all are responsible for each child's development, and sacred learners are balanced individuals who live with all Wakan Tanka creations.

VALUES

OHODA = Learners exhibit ohoda by holding in high regard self, others, things, the earth and everything related to the living.

OKCIYA = Learners exhibit okicya by sharing their thoughts, time and possessions with others and taking care of those in need.

TEHINDA = Learner's exhibit tehinda by showing extreme tenderness toward children and doing whatever is necessary to foster their development.

WICAKE = Learners exhibit wicake by telling and acknowledging the truth.

WAUNSIDA = Learners exhibit waunsida by showing empathy to all living things.

WOKSAPE = Learners exhibit woksape by gaining understanding through observation and participation.

WADITAKE = Learners exhibit waditake by showing bravery, strength, and fortitude to do what must be done.

PERFORMANCE BASED LEARNER OUTCOMES

EFFECTIVE COMMUNICATORS who demonstrate the ability to express themselves clearly in all aspects of life.

ENLIGHTENED REPRESENTATIVES who incorporate the principles of Dakota culture, modern and traditional values, and tribal affairs into their daily lives.

SELF-DIRECTED ACHIEVERS who formulate goals and priorities, and continually evaluate their progress.

BALANCED INDIVIDUALS exhibiting sensitivity, self-confidence, and respect, who model a holistic lifestyle, and are able to live in harmony with self, others, and Mother Earth.

CREATIVE THINKERS who use a variety of problem-solving techniques and resources to resolve challenges facing them.

GLOBAL CITIZENS who demonstrate respect for and acceptance of cultural diversity.

SCHOOL NAME

TIOSPA... several families who are relatives living in a group. The first concern of the Tiospa was the proper education of the children. Each child had to grow up to be able to take care of themselves and carry out their responsibilities. In order to accomplish this, everyone in the group was responsible for each child's development, both physically as well as spiritually. It is part of the "Tiospa" concept that is basic to the development and operation of the Tribal School.

ZINA..... Each of the four directions has an identifying color, each of which had its own meaning. The word "Zina" comes from the word "zi", which in Dakota language means the color yellow. Yellow is the color of the east...it is the direction from which the sun rises and the new day begins. It is to this direction that one prays for and receives knowledge, concern, caring, sharing, love, compassion, and spiritual growth so that one can develop their total being spiritually and physically, and live in harmony with the rest of Wakan Tanka's creations.

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GOALS AND OBJECTIVES

The purpose of this manual is to provide a system of personnel administration. The following principles will govern personnel matters:

1. All appointments, promotions, measures for control, separations, etc., will be on the basis of objective criteria.
2. Fair and equitable rates of pay with due observance of the principle of equal pay for equal work and suitable differences in pay for differences in work.
3. Service to Tiospa Zina Tribal School will be made attractive as a career, and employees will be encouraged to render their best services to the public in return, for which recognition will be provided.

The Sisseton-Wahpeton School Board's specific personnel goals are:

1. To employ the best personnel to staff the school system;
2. To provide attractive compensation and benefits for staff welfare;
3. To develop and implement personnel evaluation processes which will contribute to the improvement of staff capabilities and the learning program.
4. To provide staff development for all employees to improve the educational program and aid each staff member's career aspirations;
5. To assign personnel so as to ensure they are utilized as effectively as possible;
6. To develop a climate that will produce the highest staff performance, morale and satisfaction.

EQUAL EMPLOYMENT OPPORTUNITIES

There will be no discrimination on the basis of race, creed, color, national origin, religion, sex, sexual orientation, age, or marital status or disability nor be a factor in the hiring, assignment, reassignment, promotion, demotion, or dismissal of the personnel of the school system. Indian Preference will be followed.

STAFF INVOLVEMENT IN DECISION-MAKING

The Superintendent will be responsible for ensuring procedures which are designed to involve employees in decision-making in matters affecting their conditions of employment, institutional evaluation, educational planning, school climate development, community involvement, student activities development, and related developmental activities. Employee supervisory personnel will be responsible for ensuring proper, appropriate, and timely involvement of staff in decision making, policy development recommendations, and other related activities, which promote Dakota traditional values, employee self-esteem and creativity, established policies and procedures of the Board, and professional ethics.

PROFESSIONAL DEVELOPMENT OPPORTUNITIES

The School Board will encourage employee formal, in-service, and other types of on-going personal and professional development opportunities for employees of the Tribal School which are designed to increase employee abilities to continually improve performance in their

role at the Tribal School. Reimbursement of costs for university-college course work will be at a maximum of \$1,000.00 per school year. All employees will be required to submit a copy of bills from a college or university and a passing grade before reimbursement will be approved. If the cost of the course is less than the maximum reimbursement rate the actual cost will be reimbursed. The course reimbursement must be approved by the Superintendent. If an employee does not pass a course that was paid for by the school that employee will not be eligible for any school paid professional development for one year.

The Superintendent will be responsible for coordinating the implementation of Staff Development for all employees immediately prior to the beginning of each school term. Employees will, as a condition of employment at the Tribal School will be required to participate in the Staff Development each year. The Superintendent may approve employee paid participation in conferences, training or other professional development opportunities for employees within budget limitations prescribed by the Board, and if training or conference participation by an employee is beneficial to the institution. If the school pays for more than 50% but less than 80% of an advance degree the staff person is required to provide at least Five years of service to the school after the degree is received. If the school pays for more than 80% of an advance degree the staff person is required to provide at least five years of service to the school after the degree is received. If an employee resigns or leaves prior to the completion of the service requirement, the education expenses paid by the school will be considered a loan, and the employee is obligated to reimburse the school. Failure to reimburse the school is cause for civil action in tribal or federal court.

COMPLAINTS AND GRIEVANCES

It is the intent of the Board to provide employees with a process and method for dealing with any complaints or grievances which they may have regarding their employment. This process and method is appropriate for any type of grievance or complaint that an employee may have which is work-related, inclusive of conditions of employment, a decision or disciplinary action of their immediate supervisor, or other similar items. In the case of a sexual harassment complaint, GAEA or CMB will be followed. In the event that the Superintendent is the immediate supervisor of an employee who issues a complaint or grievance, STEP (3) will be handled with HRO eliminated and STEP (4) will be the process to follow if no resolution is obtained satisfactorily by the employee in STEP (2). Specific steps to be followed in the processing of any employee complaints and grievances are as follows:

STEP (1): The employee is to meet informally with their immediate supervisor to discuss the grievance in an effort to resolve the difficulty through informal discussion. This step must be completed prior to initiation or implementation of any formal grievance procedure.

STEP (2): If the employee is not satisfied with the results of the informal process in *STEP (1)*, the employee must file a grievance in writing to their immediate supervisor within, two (2) days following the completion of *STEP (1)*. The written grievance must include the date, reason for the grievance, a statement of the desired outcome (what the employee feels will

resolve the difficulty), and the signature of the employee. A copy of the written grievance is to be filed with the Superintendent of the School.

The supervisor to whom the complaint is filed is required to meet with the employee to discuss the written grievance and attempt to resolve the difficulty within two (2)* days following the receipt of the written grievance. The supervisor will render a written response and decision regarding the formal grievance to the employee, with a copy of the written response to the Superintendent, within two (2)* days following the meeting indicated in this step.

STEP (3): If the employee is not satisfied with the response of their supervisor in *STEP (2)*, the employee will submit their written grievance to the Superintendent or HRO, with a copy to their immediate supervisor and personnel file, within two (2)* days of the receipt of the written grievance of the employee issued in this step. The Superintendent will render a written response and determination pertaining to the matter grieved following an administrative hearing with the grievant, and their immediate supervisor; the written response will be given to their grievant and their immediate supervisor within two (2)* days following the administrative hearing on the matter.

STEP (4): If the employee is not satisfied with the decision of the Superintendent as a result of *STEP (3)* the employee may-request a hearing with the School Board. The request for a hearing with the Board must be filed with the Superintendent within two (2)* days following the employee's receipt of the Superintendent's written decision in *STEP (3)*. The Superintendent will be responsible for scheduling a hearing between the employee and the Board within five (5)* days following the receipt of the employee's request for a hearing. The Board will issue a decision within five (5)* days following the hearing.

THE DECISION OF THE SCHOOL BOARD WILL BE CONSIDERED FINAL.

*(working days) The Grievance process does not need to be followed as the School Board's decision is final. The School Board can suspend or terminate an employee when that employee violates School Policy per Factual evidence.

*Employee cannot resign while investigation is in progress.

STAFF PROTECTION

The Board will approve procedures approved by administration, which are designed to assure employees of a healthy, safe, and professional learning and working environment. The Board will also ensure employee access to the process in the resolution of complaints and grievances of the employee. The following procedures govern Employee Assistance, Sexual Assault and Harassment, Drug Free Workplace, Violence in the Workplace, Alcohol Use and Abuse, and Computer Network Use. Any violation of tribal or federal law will be reported to proper authorities.

EMPLOYEE ASSISTANCE PROGRAM

The Board established an Employee Assistance Program (EAP) to assist employees to resolve a wide range of personal problems that can have a negative effect on their job performance. The Board recognizes the following:

- a. All employees of the School no matter their job title or responsibilities will have access to EAP.
- b. Most problems can be successfully resolved provided that the problem(s) is identified early and proper assistance is obtained.
- c. When employees' job performance, attendance, punctuality, or dependability is unsatisfactory and the employee appears to be unable to correct such behavior, either alone or with supervisory assistance, then s/he should be referred to the EAP. All employees will be given an opportunity to receive EAP assistance, however, any continual and/or habitual problems effecting their job performance will be addressed solely with the established policies governing disciplinary action.

DRUG FREE WORK PLACE

Any location which school business is conducted, whether at this or any other site, is declared to be a DRUG FREE WORK PLACE. To maintain a safe learning and working environment, and according to regulations established by the Drug Free Work Place Act, the following procedures are established:

1. All employees are prohibited from unlawfully manufacturing, distributing, dispensing, possessing, or using controlled substances/illegal drugs in the workplace. Any employee violating the above policy is subject to discipline, up to and including termination. Personnel can get a complete listing from the Human Resources Manager.
2. **All employees are subject to pre-employment, random, reasonable suspicion, and post-accident drug testing.** Pre-employment testing requires that all new employees submit to a drug test. Random testing requires that all employees will submit to a drug test. The random process will be based on the last digit of an employee's social security number. Reasonable suspicion testing is required when a supervisor suspects an employee of drug use. Post-accident testing is required when an employee is involved in a school related accident.
3. **Any employee convicted of violating any criminal drug statute, must inform the Superintendent of such conviction, (including pleas of guilt and nolo contendere) within five days of the conviction occurring. Failure to inform the school, subjects the employee to disciplinary action, up to and including termination. Any criminal drug conviction will result in termination. By law, the Board will notify the federal grants officer within 10 days of receiving notice of conviction.**

VIOLENCE IN THE WORKPLACE

Violence is not tolerated. Violence is any action or word that hurts living or non-living beings (including self, another person, animals, plants, earth, etc.).

Physical Violence against another person is any act that damages or that disregards potential damage to public or private property.

Nonphysical violence includes social, verbal and visual violence:

Social violence includes such acts as shunning, stealing, making faces/giving dirty looks, betraying a trust, ignoring a child's request for help as well as many other acts.

Verbal violence includes such acts as lying, calling a person names, making an unwelcome sexual advance, using profanity, ordering a person around, among others.

Visual violence includes drawing degrading pictures of a person, gesturing obscenities, displaying gang colors, glaring, staring deliberately, threatening with a fist, or similar action.

Employees who feel they have been threatened by violence will notify their supervisor who is responsible for conducting an informal investigation. Grievance procedures and discipline procedures will be used if deemed necessary.

SEXUAL ASSAULT AND HARASSMENT

All employees must be assured of a safe and healthy work environment free of unwarranted and unsolicited sexual assault and harassment. Supervisors have a responsibility to monitor the workplace and protect their employees from sexual assault and harassment. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature and when:

- a. Submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment; or
- b. Submission to or rejection of such conduct by an individual is used as the basis for employment decision affecting such individual or such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

If an employee feels that a violation has been committed by a fellow employee, the employee should take the following steps:

- a. File a written complaint with his/her immediate supervisor, when the violator is the supervisor, the employee may file the complaint with the Superintendent.
- b. An investigation will be completed by a designee of the Superintendent. The sole purpose of investigation is to gather factual information pertaining to the complaint. The investigation will be completed within two working days from the date the written complaint is given to the Superintendent.
- c. A meeting of all parties involved will be established by the Superintendent in an attempt to rule out any misunderstanding. The Superintendent will then validate the complaint and the seriousness of the complaint. Disciplinary action for sexual assault and harassment will include action up to and including termination.

ALCOHOL/DRUG USE AND ABUSE

Research of arbitration cases clearly indicate that **school employees are held to a higher standard concerning alcohol use than employees in most other jobs, primarily because of school employee's involvement with children and young adults.** The Board has a strong

commitment to the community, students and employees to provide a safe, learning and working environment. Although the Board does not intend to intrude into the private lives of its employees, the school board does expect its employees to conduct their work free from the influence from alcohol. Staff are requested to refrain from wearing clothes with schools logo in establishments that sell alcohol and are discouraged from alcohol use in places where students may frequent. The Board encourages all staff to live a drug and alcohol free life style.

- a. The use of alcohol on the job is cause for automatic referral to the Employee Assistance Program and disciplinary action up to and including termination.
- b. The use of alcohol prior to an employee's expected work day begins or when an employee returns to work is cause of automatic referral to the Employee Assistance Program and disciplinary action up to and including termination.
- c. An employee on duty and/or school property who appears to be under the influence or in possession of alcohol will submit to an alcohol test, removed from the site, automatically referred to the Employee Assistance Program and be subject to disciplinary action up to and including termination.
- d. Sale or possession of alcohol while on the job is subject to disciplinary action up to and including termination.
- e. Conviction of any alcohol related law violation will show cause for automatic referral to the Employee Assistance Program for assessment and related service is cause for disciplinary action including termination.

Pre-employment alcohol/drug testing requires all new employees to be tested prior to first work day. Reasonable suspicion testing is required when a supervisor suspects an employee of alcohol use. Post-accident alcohol testing is required when an employee is involved in a school related accident. Random testing requires that all employees submit to random alcohol testing. The random process will be based on the last digits of an employee's social security number.

NETWORK ACCEPTABLE USE POLICY

All employees who use the schools computer network will sign a Technology Use Agreement. The Technology Use Agreement states that the use of Tiospa Zina's technology resources is subject to the following terms and conditions:

1. The use of technology resources must be for educational and/or research purposes consistent with the mission, goals, and objectives of Tiospa Zina, along with Federal regulations.
2. Network user accounts are considered the property of Tiospa Zina. Network and school administrators may review school computers and user accounts to maintain system integrity and ensure that users are using the system responsibly.
3. Tiospa Zina does not guarantee that its technology resources will be uninterrupted or error free. Nor does it make any warranty as to the results obtained from the service or the accuracy of quality or the information obtained on or by the network. Access to the network is provided on an "as is" basis without warranties of any kind.

STAFF-STUDENT RELATIONS

Employees of the School will regard each student as an individual, will assist each student in their learning, and will treat each student with courtesy and consideration. Employees will relate to students within guidelines established in the Code of Ethics. Failure to adhere to policies regarding staff-student relations will result in disciplinary action. Employees will be prohibited from fraternizing with students in an unethical manner, inclusive of, but not limited to the following situations:

- a. Having romantic or intimate relationship with students.
- b. Contributing to the delinquency of a student.
- c. Violations of any Child Protection laws and ordinances.
- d. Providing overnight or other lodging of students without parental or legal guardian permission or knowledge.
- e. Providing of, distribution of, or consumption of alcohol/drugs with students.
- f. Other unethical conduct as prescribed by community norms.

CONFLICT OF INTEREST (NEPOTISM)

It will be the policy of the Board to employ the most capable, competent, qualified, and experienced personnel. To prevent situations in which conflict of interest regarding nepotism may arise, the following guidelines will apply to the selection, assignment, and supervision of employees:

1. Board members will excuse themselves from personnel interviewing, selection, or disciplinary action of personnel within duly called meetings of the Board in the event the individual being interviewed, being considered for employment, or if an employee is initiating grievance procedures, or being considered for disciplinary action is an immediate relative of a Board member. By this definition an immediate relative is defined as father, mother, son, daughter, brother, sister, husband, wife or cohabitant.

STAFF-COMMUNITY RELATIONS

Staff members are considered to be a part of the community in which they work, and are encouraged to actively involve themselves in community activities. Staff will refrain from community involvement activities which create a conflict with personnel policies and procedures of the School or which may result in a conflict of interest or reduction in employee performance.

STAFF POLITICAL ACTIVITIES

Employment may not be offered as a consideration for the support or defeat of any political party or candidate for public office. The Board recognizes and encourages the right of its employees, as citizens, to engage in activities that exemplify good citizenship. However, school property and school time will not be used for political purposes. When a supervisor believes that repeated citizenship interferes with regular assigned duties, the supervisor may consider such service "as repeated failure to follow established policies and procedures" and can take disciplinary action.

SOLICITATIONS OF/BY STAFF MEMBERS

No employee of the school may accept gifts, money or gratuities from persons receiving benefits or services under this program. Employees will not sell, solicit for sale, advertise for sale merchandise or services or organize students for such purposes without the approval of the Superintendent. No organization may solicit funds from employees or may distribute flyers related to fund drives through the schools without the approval of the Superintendent. In recognition and support of local custom, those gifts given as part of community activities or in exercise of Dakota customs are acceptable.

PERSONNEL RECORDS

A personnel file will be maintained for each employee of the School, with access limited to the Superintendent or a designee, the individual employee, and Human Resource Director. The Human Resource Director will be responsible for personnel file maintenance. No portion of the personnel file may be removed. Contents of the personnel file will include:

- a. Application for employment or letter of application
- b. Training Profile and Professional Development Plan
- c. Transcripts, resume credentials
- d. Health examination certificate
- e. W-4 Form
- f. Employment Record - salary
- g. Evaluations
- h. Position Description
- i. Personnel Actions

All personnel records, except the applications and performance ratings will be considered confidential. They will not be open for inspection by unauthorized personnel.

SALARY DEDUCTIONS

The Board will make salary deductions for required federal or other taxes, employee share of fringe benefits, Sisseton Wahpeton College, Sisseton Wahpeton Oyate, Sisseton Wahpeton Credit Union contributions and payments, Sisseton-Wahpeton Housing Authority, or deductions required as garnishment due to legal judgments and other tribal entity.

STAFF RIGHTS AND RESPONSIBILITIES

Staff rights and responsibilities will be determined through those policies and procedures approved by the Sisseton-Wahpeton School Board.

EMPLOYEE CODE OF CONDUCT

1. Report to work ready for duty and remain ready for duty during the shift or contract day.
2. Prepare for and diligently carry out all assigned duties as directed.
3. Comply with justifiable directives issued by duly recognized sources of authority.

4. Identify and control and report unsafe conditions and/or safety hazards and maintain safe and secure working and/or learning environments.
5. Demonstrate respect, fairness and dignity when interacting with students, staff, community members or others.
6. Comply with federal laws, state statutes and Tiospa Zina Tribal School policies that prohibit conduct that could reasonably be construed as coercive, retaliating, harassing, intimidating, bullying, discriminating or threatening.
7. Communicate truthfully and honestly with regard to any matter of interest to Tiospa Zina Tribal School and ensure that all records, disclosures or other written communications are full, fair, accurate, timely and understandable.
8. Acquire, use, maintain and dispose of Tiospa Zina Tribal School assets in an ethical and responsible manner.
9. Maintain the confidentiality of information as required under federal law, Sisseton-Wahpeton Oyate law and Tiospa Zina Tribal School policy.
10. Use established protocols to intervene against and/or report actions or behaviors that may represent one or more violations of federal law, state statute or Tiospa Zina Tribal School policy.
11. Refrain from activities outside of the contract day that may reasonably interfere with his or her ability to effectively perform duties as assigned or the legitimate operational interests of Tiospa Zina Tribal School.
12. Comply with all established federal laws, Sisseton-Wahpeton Oyate laws and Tiospa Zina Tribal School policies as well as established operational routines or procedures.
13. Refrain from posting photos of yourself consuming alcohol/drugs on Social Media.

As an employee of Tiospa Zina Tribal School staff will incorporate these climate changes in classrooms, the school and the community.

- Treat all students as unique individuals with all needs being met in a timely manner.
- Negative situations are handled in appropriate way, staying calm and thoughtful.
- Connections will be made with students both in the classroom and at school.
- Use non-verbal cues (Facial expressions, body language, calm and silence) that are consistent with TZTS Dakota values.
- Verbal cues (tone of voice, kind words, calm) that are consistent with TZTS Dakota values.
- Use communication with carefully chosen words, self-awareness and respectful manner.
- Promote parental involvement by actively participating in extra-curricular activities.
- Communicate effectively and consistently with TZTS Dakota values.
 - Make monthly, documented, parental contacts.

PROFESSIONAL PERSONNEL SECTION

All personnel policies and regulations in this section pertain to personnel who are required to hold a teacher's certificate and all staff in Section GC and GD.

COMPENSATION GUIDES AND CONTRACTS

SALARY AND WAGE RATES: Employee salary will be based upon rates and schedules approved by the School Board.

Fringe Benefits

- | | |
|----------------------------|--------------------------------|
| - Required FICA, etc. | - Workmen's Compensation |
| - Single Health Plan | - Single Vision Plan |
| - Retirement Plan | - Disability |
| - Leave | - College Course Reimbursement |
| - Professional Development | - Breakfast and lunch |

CONTRACTS: The Superintendent will be responsible for the issuance of contracts based on approval of the Board. The School Board will determine annually:

1. Employee renewal and non-renewal timelines,
2. Wage rates and salary schedules,
3. Contract and Wage Agreement Special Provisions (contingent upon funding; probationary period; other appropriated items) for employees,
4. Types of and conditions regarding employee leave,
5. Timelines for acceptance or non-acceptance of contracts and wage agreements,
6. Fringe benefits for employees,
7. Position description updates and revisions,
8. Employee contract duration, and
9. Other considerations regarding conditions of employment evaluation, etc.

The Superintendent and Human Resources will be responsible for consulting with the board and employees regarding conditions of employment in a timely and process-oriented manner to ensure consultation, input, and communication. All employees will sign a contract which specifies designated number of school days in session within a school or work term approved by the Board, and will be responsible for completing the condition of the contract (providing instruction for the required days of instruction within the school term) at no additional compensation. Ten years of prior experience will be accepted for computation on the salary scale.

PERSONNEL POSITIONS

The Superintendent in collaboration with HR will be responsible for the development of position descriptions for all employees of the School. The Board will approve all positions. Job descriptions will be given to each employee at the onset of their employment at the school, and a copy of the position description will be filed in the employee's personnel file. All staff hires will be approved by the board and will follow these policies and procedures including the drug and alcohol policy and the background check requirements prior to work.

QUALIFICATIONS AND DUTIES

The Board believes it significant and important to obtain the best-qualified and competent employee possible for each and every position. This belief is held to ensure students have access to the most qualified, educated, experienced, and trained human resources available to assist them with their learning, self-esteem, and other needs.

1. The Board will employ no person in any capacity who has not completed a GED or formal high school education program, except bus drivers, kitchen staff, and facilities. Will provide professional development as needed to attain a GED/HS diploma.
2. Any employee required to be certified (teacher, administrator, counselor, coordinator, director, other) will submit a copy of their appropriate certificate to the HR for placement into the employee's personnel file prior to their first day of employment. The Superintendent may recommend to the board to suspend salary payment of any employee who has failed to provide the required certificate. Failure of certified employees to submit a certificate is cause for termination of employment or demoted to appropriate status.
3. Qualifications for bus drivers include a current CDL license with school bus driver passenger endorsement and air brakes endorsement. CDL license and no established medical history, or clinical diagnosis of diabetes mellitus requiring insulin for control.
4. The Board may request provisional certification for an employee required to be certified for their role when in their best judgment, the employee possesses the skills, competencies, and experiences required to adequately provide their job role. However, this request will be made only when the Board is unable to acquire a fully qualified and suitable employee for the position following advertisement of the position vacancy for two weeks. The Board will not be responsible for request for re-issuance of a provisional certificate for the subsequent term, nor will the Board provide payment to the employee for program completion required to meet additional provisional certification requirements.
5. The Board may require on-going educational participation by an employee as a condition of employment in the event that participation will eventually result in the employee meeting educational degree requirements for their position role, or in increasing their competency in their current or anticipated position role.

PERSONNEL RECRUITMENT

1. **ADVERTISEMENT:** All position vacancies at the School, will advertise in-house for a period of 5 days, Native American preference will be adhered to. TZTS will be advertised locally and regionally for a period of two weeks or until filled. The vacancy will be posted in local agencies and businesses as well as published in the SOTA.
2. **REINSTATEMENT:** The Board may reinstate employment of a prior term employee, to a similar position vacancy that occurs at the School, if the employee was, during the previous year, laid-off from their employment at the School due to

funding limitations and if the employee was at the time of lay-off in good standing with their previous position role at the school. An employee terminated may not re-apply for any position until three (3) years after termination. Employees terminated for severe misconduct may not reapply. An employee non-renewed (regular and extra duty contract) may not reapply for the same position for up to a maximum of 2 years, as determined by the Sisseton-Wahpeton School Board based on recommendation from the Superintendent and Supervisor.

3. INTERVIEW: All applicants will be interviewed by the interview committee. The interview requirement includes new qualified applicants, and employees for whom reinstatement is being considered by the Board.
4. EMPLOYMENT PREFERENCE: The Board will consider Indian preference and Veteran's preference in employment when considering employee selection at the School. Preference may be considered and granted if applicants are considered of equal educational, experience, philosophical, mission, and other preparatory and skill backgrounds.
5. NOTIFICATION OF APPLICANT STATUS: The HRO is responsible for notifying applicants of the status of their application in a timely manner. The HRO will notify applicants of their non-selection for a position with two (2) weeks following the selection of an applicant by the Board and the acceptance of a contract by the selected applicant.
6. NON-DISCRIMINATION: All applicants will be considered on the basis of the needs of the school, and the merits and qualifications of the applicants.
7. APPLICATION REQUIREMENTS: New applicants for positions are required to submit the following information prior to consideration for employment. Failure to provide a complete application will result in the Board not considering the applicant for employment. Applicants will not be considered if the applicant does not meet the minimal qualifications of position.
 - a. Tiospa Zina Tribal School application form.
 - b. Verification of high school or GED completion, exception is bus drivers.
 - c. Three (3) recommendations from previous employers; if not previously employed, an applicant may submit recommendations from someone having knowledge of their skills and abilities regarding the position for which the person is applying.
 - d. Copy of teacher certificate
 - e. Placement and college credentials (if applicable)
 - f. Verification of Indian and/or Veteran's Preference (if applicable)
8. EMPLOYEE RECOMMENDATION FOLLOW-UP: The HR will provide verification and documentation of contacting two prior employers of an applicant to acquire additional information regarding the performance of an employee prior to the Board making a final decision on the applicant. The information acquired will remain confidential, and may only be presented to and discussed by the Board in executive session. Those individuals submitting employment recommendations for applicants may also be contacted regarding the applicant's potential performance capabilities and other appropriate information. This information will also be confidential. Other

appropriate agencies may also be contacted to acquire additional information regarding the suitability of an applicant for employment. All new employees are required to complete a background check.

HIRING

Final selection of all school positions will be made by the Board, after recommendations from the Superintendent. The Board may direct the Superintendent to hire employees within a specific time period. The administrator directly responsible for the work of the staff member will have the opportunity to aid in the selection. The School Board will have the opportunity to review all contracts on an annual basis for all positions including extra-curricular positions. The contract renewal decisions are final and cannot be appealed.

In consideration of the sensitive nature of positions involving the education of children, applicants who have been convicted of the following felonies will not be considered for any position: murder, voluntary manslaughter, criminally negligent homicide, kidnapping, aggravated kidnapping, rape, assault with intent to commit rape or murder, assault with a dangerous weapon, aggravated rape, public lewdness, indecent exposure, rape of a child, sexual abuse of a child, indecency with a child, assault, aggravated assault, injury inflicted on a child, bigamy, incest, sale or purchase of a child, solicitation of a child, public indecency including prostitution, obscenity, sale/distribution or display of harmful material to minors such as weapons and drugs, and any other violent felony defined by the school attorney based on federal and tribal law. (Indian Child Protection Act).

PERSONNEL ASSIGNMENT

Teachers may be assigned to specific duties and grade level placement by the Superintendent, provided that the Superintendent will have regard, both for the School, and the preparation and qualification of the staff member.

ORIENTATION

A program for the orientation of all employees in the school system will be updated annually and implemented by the administrators and superintendent. The program will assist new employees in becoming acquainted with the community and School.

PROBATION

All new employees will be considered to be on probationary status for a period of 90 calendar days from the first day of employment. The administrators, with concurrence from the superintendent, may choose to extend the probation, suspend, or terminate an employee at any time during their probationary period. Probationary employees may not use any paid leave.

SUPERVISION

The Board expects its administrative and supervisory staffs to help and encourage staff members to develop their teaching personalities and instructional abilities to an optimum degree. Each Principal is required to document and visit the classroom of each teacher on a

weekly basis to offer suggestions and give encouragement and to review lesson plans. Each employee will be notified as to their immediate supervisor at the onset of their employment. Responsibilities of the supervisor will include time and attendance, evaluation, technical assistance, consultation, assistance in planning, assistance in problem-solving and conflict resolution, identification of professional development needs and resources, assistance in material and supply acquisition, approval/disapproval of leave, and other duties.

EVALUATION

The purpose of employee evaluation will be to assist employees to develop and strengthen their professional abilities through an assessment of their strengths and weaknesses. Formal evaluation will be made by the Principal or other authorized administrative personnel, using evaluation procedures recommended by the Superintendent and approved by the Board. A Plan of Assistance will be developed when a staff person is rated as Skilled or In Progress.

A. Employee within first (5) years of Employment at Tiospa Zina

All supervisors will be responsible for conducting a minimum of (2) employee formal performance observations evaluations for each employee for whom they provide direct supervision, utilizing a format and process approved by the Board, within the following requirements:

1. First formal observations performance evaluation completed by November 1 of each school term.
2. Second formal observations performance evaluation completed by March 1, of each school term.
3. Results of formal observation performance evaluations will be considered as one criteria for contract renewal or non-renewal for the subsequent school term.
4. Results of observations performance evaluations will be maintained in the employee's personnel file, with a copy to the employee and supervisor.

B. Employee with (5) or more years of employment of Tiospa Zina

All supervisors will be responsible for conducting a minimum of (1) formal performance evaluation for each employee for whom they provide direct supervision, utilizing a format and process approved by the Board, with the following requirements:

1. The formal observation performance evaluation to be completed by March 1, of each school term.
2. Results of observation formal performance evaluations will be considered as one criteria for contract renewal or non-renewal for the subsequent school term.
3. Results of performance evaluations will be maintained in the employee's personnel file, with a copy to the employee and supervisor.

PROMOTION AND TRANSFER

The Board may, upon recommendation from the Superintendent, promote or transfer an employee when a position vacancy occurs within the institution. The promotion or transfer of an employee to a position vacancy at the School will take into consideration the following:

- A. The ability of the employee to competently perform the duties and responsibilities of the position vacancy;

- B. The educational, experience, and other background and preparation of the employee in regard to the position vacancy; and
- C. The employee must be properly endorsed and certified or meet other requirements of the position vacancy to ensure standards of compliance for accreditation and other requirements of the school.

Promotions and transfers will be recommended to the Board by the Superintendent. Internal advertisement of an open position will be 5 working days.

SUSPENSION/SEPARATION

It is the responsibility of employees in administrative and supervisory roles to administer Board policies in an equitable and consistent manner, for any violations of policy or procedure by an employee for which they provide immediate supervision. Employees are to be informed of their Due Process Rights when there is consideration for any disciplinary action.

A. The Superintendent will have the authority to immediately suspend an employee from their position in the event of employee serious misconduct (any act which results in serious damage to Tiospa Zina Tribal School, employees or students or the School, of facilities and equipment or other property of the School).

In considering employee suspension, the Superintendent will:

1. Consult with the immediate supervisor of the employee and the employee (unless the employee is AWOL) prior to the issuance of suspension action.
2. Receive written recommendation for employee suspension from the immediate supervisor of the employee based on the Tiospa Zina Employee Code of Conduct Rubric.
3. Determine methods of administering suspension or other disciplinary action following consideration of methods that minimize any potential disruption to services at the Tribal School. These alternatives may include, in consultation with the employee, but not be limited to:
 - a. Consecutive work day suspension.
 - b. Alternative work day suspension.
 - c. Volunteer services at no pay for a time equal to the proposed suspension period.
 - d. Apportioned suspension times over a period of days which will equal the proposed suspension period.
 - e. Other feasible and equitable alternatives which accomplish the same outcome and penalties appropriate to the nature of the violation resulting in an act of serious misconduct.
4. Report any action taken to the School Board for their review.

B. In instances where employee performance is not consistent with policies and expectations of the personnel policies and procedures handbook, and are not included under the definition of serious misconduct (such as: failure to carry out duties, repeated tardiness, and other similar performance issues), the following procedure will be initiated in an effort to improve employee performance by the supervisor:

1. Order and Documentation. Documentation of the reason for employee disciplinary action, including employee name, date, expected improvement, and signature of the supervisor. This is to be completed by the immediate supervisor of the employee, a copy given to the employee, and a copy placed in the employee's personnel file. This is to be completed for every instance in which a disciplinary procedure is initiated.
2. Conflict Resolution. It is the intent of this procedure to improve performance through conflict resolution at the lowest administrative level. All employees will receive annual conflict resolution training. HR Director will be in charge of administering the conflict resolution process.
 - a. Verbal Warning: Documented verbal discussion about performance.
 - b. Written Warning: Documented written discussion about performance. Supervisor will hold warning reports in the employee supervisory file.
 - c. Written Reprimand: Completed in accordance with order and documentation procedures, with copies to the employee, personnel file of the employee, and to the Superintendent.
 - d. Suspension: Initiated by the Superintendent at the supervisor's recommendation if unacceptable performance continues following the written reprimand. The suspension notice will follow documentation procedures as indicated in the order and documentation portion of this handbook. A suspension will not exceed (10) working days.
 - e. Termination: May be implemented by the School Board at the recommendation of the Superintendent' if previous efforts at improving performance are not effective. Contract termination requires Board action. The employee is allowed a due process hearing. Depending upon the nature of the serious misconduct, the Superintendent may suspend an employee and recommend a hearing with the Board to review the matter for determination of any additional disciplinary action, or possible termination of employment. If a suspension is issued as a disciplinary action to an employee, the Superintendent will notify the employee in writing (copy in personnel file) of the date, timelines, and reasons for suspension by the first day of the suspension. In the event of a suspension and Board hearing action, the Superintendent will also advise the employee of the date, time, and location of the Board hearing.

Behaviors or acts that constitute serious misconduct / immoral conduct: (02-05-2020) Rev.

1. Missing work without reporting in or acquiring leave approval.
2. Use, distribution or selling of drugs on the job or at school-sponsored activities.
3. Physical assault of a student, employee, or other individual at the School.
4. Failure to report child abuse or neglect.
5. Failure to use established procedures in working toward a resolution of a grievance.
6. Conviction of a felony. 2/2020
7. Repeated gross inefficiency and failure to perform duties after reasonable written notice.

8. Repeated failure to follow established policies and procedures of the Board after reasonable written notice.
9. Theft, misuse, or embezzlement of school property and funds.
10. Falsification or misrepresentation of information for which an employee bears responsibility.
11. Failure to provide adequate supervision of students which results in physical or emotional injury to a student, consistent with the intent of child protection laws.
12. Use of corporal punishment or physical force with students as a disciplinary measure.
13. Miscommunication regarding the school, students, or employees of the school which results in an intentional and purposeful disparagement of the school, students, or employees of the school; this is especially true in public expressions as an employee of the School.
14. Communication of confidential information regarding students or employees of the school which was expressed in confidence and pertaining to confidential and personal matters.
15. Open and public non-support of the School in matters pertaining to situations which grievance and other procedures are available to process concerns. This normally results in disruption of normal school activity, professional relationships, and overall school climate.

If an employee does not agree with a suspension action, they must follow established grievance procedures.

LAY-OFF (REDUCTION-IN-FORCE)

The Board may lay-off an employee due to budget constraints or other conditions which impede the Board's ability to meet employee contract obligations as to salary payment. An employee that is laid-off due to this type of situation will have priority in subsequent position vacancies for which they are qualified. Considerations to be viewed in this type of action include:

1. Basic services required for school operations.
2. Particular funding resources reductions requiring action.
3. Length of service to the School and its students.
4. Positions required to meet accreditation, program, and contract requirements.

TENURE

There is no tenure policy or provision at the School. The School Board will renew contracts on an annual basis for all positions including extra duty positions. The contract renewal decisions are final and cannot be appealed.

SEPARATION (TERMINATION)

Involuntary Terminations

The Board will give careful consideration prior to any decision to discharge an employee for cause before the expiration of the term of the contract. Notification of this intention will be given the employee in writing at least ten days prior to the contemplated discharge. The notice

will include the time and place for a special meeting of the Board to be held for such purpose as well as his/her right to demand specific reasons for such discharge. Such reasons must be furnished on demand by the employee not less than five days prior to the meeting.

If the employee contemplates contesting the charges brought against him/her, he/she will so notify, in writing, the Board at least two days prior to the meeting held on the question of the contemplated discharge. The Board will sustain the charges only based on evidence produced at such hearing. Witnesses will be subject to cross-examination by the employee or his/her representative. The employee may then produce such evidence and witnesses as may be necessary to refute the charges, which witnesses will also be subject to cross-examination. The proceedings may, at the request of either party, be transcribed by a court reporter at the expenses of the person requesting such transcript. The meeting will be in executive session of the Board unless both the Board and the employee requesting such meeting will agree that it will be open to other persons or to the public.

The Board may terminate with documentation and with recommendation by the Superintendent, or a serious violation by an employee may result in dismissal effective immediately, for any of the following causes:

1. Immoral conduct as judged by community standards;
2. Insubordination;
3. Conviction of a felony;
4. Conduct unbecoming a teacher which requires the immediate removal of a teacher from his/her classroom duties;
5. Failure without justifiable cause to perform contracted duties; and
6. Gross inefficiency which the staff member has failed to correct after reasonable written notice.

Immediate dismissal is warranted in the case of serious misconduct (any act that result in serious damage to the School, personnel, students, or equipment) or when three consecutive days of work is missed without reporting in.

RESIGNATION

Any certified teacher who requests a resignation from a contract, from issuance to May 1, prior to start of the contract, will pay a \$500 penalty. Any certified teacher who breaks a contract thirty days before the beginning of the school year, or while school is in session, and does so without the Board's consent, may have his/her certificate suspended and be liable for payment of penalty of up to 5% of their contract.

Employees wishing to resign their position at the School must provide the Superintendent with a minimum of (10) working days' notice of separation for all but certified staff. Certified personnel must provide a minimum of (30) days' notice. Failure to provide adequate notice or Board's no acceptance of resignation or separation request may result in a penalty up to 10% of salary and/or Board request of certification revocation. The Board must approve all resignations or requests for separation from duty.

Employees who resign or are approved on approved leave of absence for education purposes may reapply for a position that they are qualified for but will lose the vesting in the school retirement plan, their probation period will be re-issued, they will be considered a first time employee including allowing a maximum of 10 years' experience for salary purposes, and will start from zero years' experience when consideration of leave and retirement. Employees on approved leave of absence for education purposes will verify completion of their educational program. Failure to verify completion will nullify preference in re-applying.

RETIREMENT

There is an employee retirement program at the School. The school will pay 3% for first year staff and increase the amount yearly by 1% until the school maximum of 7% is reached. The program will have five year vesting.

WORKING CONDITIONS

Employee will be assigned a space to carry out the job responsibilities. At times there may have to be changes in such areas, for no reason, other than better utilization of existing facilities to meet the overall needs of the students.

HEALTH EXAMINATIONS

All employees will have a physical examination prior to employment and will file a medical certificate attesting to their freedom from communicable disease by the opening day of school. Such certificate must be filed with the office of the Superintendent prior to employment.

TIME SCHEDULES

The working day for certified teacher will be determined by the school day established for students, and by the instruction and activity schedules established by the Superintendent and administrators and approved by the board. Every effort will be made by the administration to provide a uniform workday for employees, where this is practical and consistent with the safe and efficient administration of the school. All non-certified hourly wage employees may use a time card to verify time and attendance except for those employees who work off campus.

DRESS CODE

The appropriate dress/attire required for professional educators will include the following:

- No exposure of inappropriate body jewelry (skin punctured) larger than ¼ of an inch. Earrings are allowable.
- No excessive or inappropriate dress/attire that is offensive to students or co-workers. This will be determined by the supervisor and documented in writing to the Superintendent.
- All staff will adhere to any policies of dress specified or prohibited by students.
- The staff dress code is enforceable during the school day and at any school sponsored event or activity. Failure to comply will show cause for disciplinary action up to and including termination of contract.

STAFF MEETINGS

The Board recognizes the need to conduct periodic and regular staff meetings on varying levels involving all and special members of the staff. Such meetings should be scheduled to cause as little inconvenience to the staff members as possible. Supervisors are to conduct staff meetings with those whom they immediately supervise at least once weekly to ensure planning, organization, consultation, problem solving, and other activities on a continual basis. The administrators will implement PLC for all staff in their Tiwahepi.

EXTRA DUTY

Each staff member agrees to assume his or her must-share of duties incidental to the programs of extra-curricular activities and community activities assigned by the Activities Director. There are many extra duties that are contracted. The extra duty contracts are not considered full time and performed after the normal school day, unless receiving prior approval from administration. The extra duty contract work will be supervised by the Activities Director. The extra duty contracts will be issued on an annual basis. Extra duty contracts will be paid at the end of the specific season or in December and May for those contract that are yearlong. All employees entering into extra duty contracts are required to submit monthly reports during the duration of the contract term to the Activities Director for approval. Failure to submit reports or failure to complete assigned tasks is cause for partial or non-payment of contract.

EXPENSES

Employees who are authorized to travel in performance of some special duty will be reimbursed the federal mileage rate and other expenses when appropriate as approved by the supervisor, accountant, and superintendent. Authorization for such travel reimbursement must be obtained in writing from the Superintendent prior to incurring such expenses.

NON-SCHOOL EMPLOYMENT

Employees will not engage at any time in any employment that would interfere with their effectiveness in performing regular assigned duties; would compromise or embarrass the school system; would adversely affect their employment status or professional standing; or would in any way conflict with assigned duties. Employees will not be employed or involved in any private business during the hours necessary to fulfill appropriate assigned duties.

TUTORING FOR PAY

Teachers will receive compensation for tutoring during scheduled tutoring times, to be determined by the Supervisor. Not to exceed \$25.00 per hour.

CONFERENCES AND VISITATIONS

The administration may authorize professional leave for visitations, attendance of personnel at State, regional, and national meetings, workshops, and conferences without pay deduction. The administration will be responsible for judging which absences for professional leave will be allowed. The administration will consider the factors of limitations for employing substitutes and reimbursement for travel, meals and lodging.

LEAVES AND ABSENCES

Employees of the Tribal School that are enrolled in courses in a higher educational institution may be granted 2 hours per week with a maximum of (8) hours per month for educational leave, as long as participation does not significantly interrupt the delivery of instructional services to Tribal School students. Educational leave can only be used for actual class time. This leave must be approved by the administration and reported to the Board. All leave must be approved by their immediate supervisor.

LEGAL LEAVE/ADM LEAVE

Leave will be granted to all employees duly called and accepted for jury duty, whether or not they have asked the court to be excused. The School will pay them the difference between the amount they receive for such service and their regular salary. If a previous board member or previous employee passes away, there is a possibility to close the school in honor of that individual. The superintendent can make that decision.

FAMILY MEDICAL LEAVE

It is a policy of the Board to provide up to 12 weeks of unpaid Family and Medical Leave to the employees of the School. To be eligible the employee must meet all of the following conditions. 1. The employee must have worked for Tiospa Zina for the past 12 months; and the employee may take FM leave for one of the following reasons:

- a. The birth of a child and in order to care for that child;
- b. The placement of a child for adoption or foster care;
- c. to care for a spouse, child, or parent with a serious health condition; or
- d. The serious health condition of the employee.

An employee may take FM leave because of a serious health condition that makes the employee unable to perform the functions of the employee's position. A serious condition is defined as a condition which requires inpatient care at a hospital, hospice or residential medical care facility, or a condition which requires continuing care by a licensed health care provider. Tiospa Zina will require employees to obtain a doctor's certification of the serious health condition. All employees requesting FM leave under this policy must submit the request in writing to their immediate supervisor, with a copy to the Human Resources Department. When an employee takes FM leave under the policy, the employee must give at least a 30 day notice, when the employee is unable to give proper notice, the employee must give notice as is practicable. If an employee fails to provide 30 day notice with no reasonable excuse for the delay, the leave request may be denied until at least 30 days from the date Tiospa Zina is notified of the leave request. While on FM leave it is the responsibility of the employee to report weekly to the Human Resources Manager regarding the status of the medical condition, and their intent to return to work. An employee may authorize a maximum of 40 hours of leave per year to be transferred to another employee for emergency medical reasons or death in the immediate family. An employee may receive unlimited hours in a year for medical reasons or death in immediate family.

MATERNITY/PATERNITY LEAVE

Employees are encouraged to report pregnancy as soon as possible so health can be safeguarded and plans can be made for temporary replacements. The employee will be paid from leave balances of the employee.

MILITARY LEAVE

Any employee of the Board who is a member of the national guard, member of the armed forces reserve of the United States, subject to call in the federal service by the President of the United States, when ordered by proper authority to active non-civilian employment, will be entitled to a leave of absence without loss of status or efficiency rating. If such a person has been in the continuous employ of the School for ninety days immediately preceding the leave of absence, the first fifteen days of such leave will be without loss of pay. Employees who are called to funeral honors duty will be allowed 8 hours of military leave per year.

ARRANGEMENTS FOR SUBSTITUTES

Selection

1. Administration will select substitute teachers from an approved list compiled and promulgated by the HR office. Preference should be given to those approved persons who are certified to teach.
2. All substitutes are required by the Board to have an application form completed and approved by the Board.

Payment

All substitute teachers will be paid on the basis of information submitted by the Principals and other Supervisors.

Tiospa Zina Substitute Certificate

Less than A.A.	\$ 17.50/hr.
A.A.	\$ 19.50
B.S. - B.A.	\$ 22.50
B.S. & Certification	\$ 25.00

Substitutes for other staff positions will be paid the entry level rate for that position.

Para-educators will be paid an additional \$5.00 per hour when substituting for teachers for less than 10 consecutive days. Para-educators who are long term teacher substitutes (more than 10 consecutive days) will be paid an additional \$6.25 per hour.

PERSONAL LEAVE

A personal leave fringe benefit will be granted to employees through an earning process at the following rates:

Earned leave per pay period

	0-3 yrs.	4-7 yrs.	8 yrs. or more	11 yrs. or more
School Year	4 hrs.	5 hrs.	6 hrs.	
Year Round	4 hrs.	5 hrs.	6 hrs.	7 hrs.

Up to 700 hours of Personal Leave may be carried over every year. Upon employment separation the employee may cash out 200 hours paid, at current rate.

Leave must be approved two days in advance. Failure to request leave with the supervisor will result in leave without pay. Abuse of this fringe benefit will result in leave without pay and other disciplinary action up to and including recommendation for termination.

Staff are expected to perform their duties within the conditions specified in their contract, which includes personal leave days awarded during the contract year. If an employee has used all eligible personal leave and accumulates an additional 3 days of leave without pay, they may be subject to disciplinary action including termination of contract or recommendation for non-renewal of contract, unless approved by the immediate supervisor.

A person must have a doctor's and/or personal statement **if more than 3 consecutive days of personal leave** is requested for an extended illness. The leave may be approved by the employee's immediate supervisor up to the amount offered (contracted) or earned by the employee. Leave may be used in the event of an illness of an employee's immediate family (child, spouse, sibling, parent, and grandparent). Refer to FMLA policy section. **

PUBLISHING

Employees are encouraged to write and prepare professional material for publication in their areas of expertise. Employees who prepare material are required to submit such material for review and approval prior to publication when the material is about Tiospa Zina Tribal School. Employees who desire to copyright or patent, and to market, material prepared totally or partially on school time, will submit a copy of such material to the Superintendent for review. The material will be accompanied by the following information:

1. The names of persons who participated in preparation 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 purchase of the material which might be made by the Tiospa Zina Tribal School.

The Superintendent may authorize the sale of copies of, or reproduction rights to, instructional material prepared by the School to other school systems, organizations or commercial firms. If the materials so produced are produced for the School, the School may choose to own the copyright.

PROFESSIONAL PERSONNEL SELECTION **CODE OF PROFESSIONAL ETHICS FOR TEACHERS**

- (1) Not, without just cause, restrain students from independent action in their pursuit of learning;
- (2) Not, without just cause, deny to the students access to varying points of view in the classroom;
- (3) Present subject matter for which they bear responsibility without deliberate suppression or distortion;

- (4) Make a reasonable effort to maintain discipline and order in the classroom and the school to protect the students from conditions harmful to learning, physical and emotional wellbeing, health, and safety;
- (5) Conduct professional business in such a way that they do not expose the students to unnecessary intimidation, embarrassment, or disparagement;
- (6) Accord just and equitable treatment to every student, regardless of race, color, creed, sex, sexual preference, age, marital status, handicapping condition, national origin, or ethnic background;
- (7) Maintain professional relationships with students without exploitation of a student for personal gain or advantage;
- (8) Keep in confidence information that has been obtained in the course of professional service, unless disclosure serves professional purposes or is required by law;
- (9) Maintain professional relationships with students in a manner which is free of vindictiveness, recrimination, and harassment;
- (10) Not engage in or be a party to any sexual activity with students including sexual intercourse, sexual contact, sexual photography, or illicit sexual communication;
- (11) Take precautions to distinguish between their personal views and those of the local school or governing body;
- (12) Not knowingly distort or misrepresent the facts concerning educational matters in direct and indirect public expressions;
- (13) Not interfere with a colleague's exercise of political and citizenship rights and responsibilities;
- (14) Not exploit the local school or governing body for public or personal gain;
- (15) Not exploit the local school or governing body to promote political candidates or partisan political activities;
- (16) Neither accept nor offer any gratuities, gifts, services, or things of value that impair professional judgment, offer special advantage, or provide personal benefit;
- (17) Engage in no act that results in a conviction;
- (18) Exemplify high moral standards by not engaging in or becoming a party to such activities as fraud, embezzlement, theft, deceit, moral turpitude, gross immorality, sexual contact with students, illegal drugs, or use of misleading or false statements;
- (19) Not misuse or abuse school equipment or property;
- (20) Accord just and equitable treatment to all members of the profession in the exercise of their professional rights and responsibilities;
- (21) Maintain confidentiality of professional information acquired about colleagues in the course of employment, unless disclosure serves professional purposes;
- (22) Discuss professional matters concerning colleagues in a professional manner;
- (23) Accept a position or responsibility, only on the basis of professional preparation and legal qualifications;
- (24) Adhere to the terms of a contract or appointment unless the contract has been altered without the consent of the affected parties, except as provided by law, legally terminated, or legally voided;
- (25) Use sound professional judgment in delegating professional responsibilities to others;

- (26) Not use coercive or threatening means in order to influence professional decisions of colleagues;
- (27) Not knowingly misrepresent their professional qualifications;
- (28) Not knowingly distort evaluation of colleagues; and
- (29) Not criticize a colleague before students, except as unavoidably related to an administrative or judicial proceeding;
- (30) Perform duties in accordance with local, tribal, and if applicable state, and federal rules and laws.

NON-PROFESSIONAL PERSONNEL SUPPORT STAFF SECTION

The Board considers its support personnel who serve as secretaries, cafeteria workers, custodians, maintenance personnel, and other non-certified positions vital to a cohesive school system. Certified and non-certified personnel should work together as partners to provide the best possible learning situation for the children and youth of the School. Members of the support staff will be appointed by the Board upon the recommendation of the Superintendent. The Superintendent will confer with other supervisory personnel prior to making his/her recommendations. All vacancies will be made known to the present staff. Anyone who believes himself/herself qualified for a position may submit an application. Assignments of members of the support staff will be made by their respective department supervisors. Such assignments may be either permanent or temporary. The preference of employees will be taken into consideration in making assignments. Employees may request a transfer of assignment from one position to another and/or from one department to another, which will be granted by the school board. Within the school, the Superintendent may assign members of the support personnel to tasks appropriate to their positions and qualifications.

Revised: Summer 2023, Effective August, 2023